

Based on need alone? Impartiality in humanitarian action

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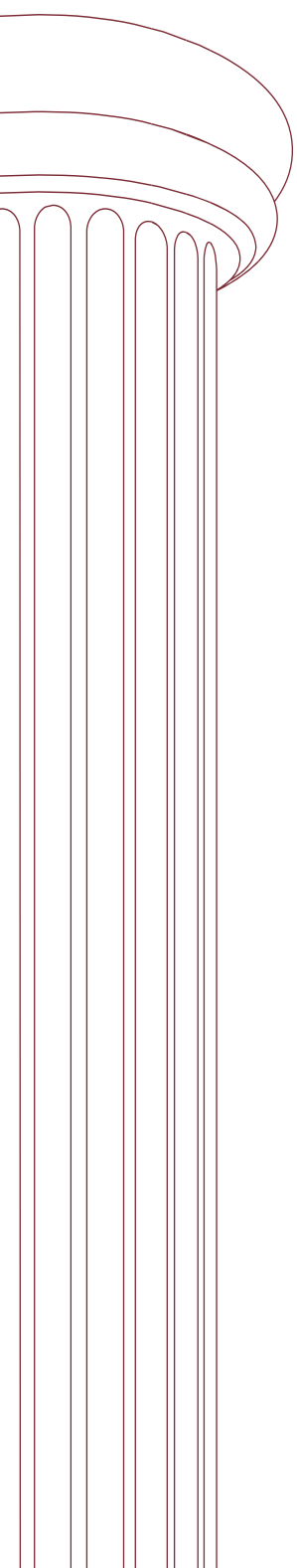
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FÜR PHILANTHROPIE UND ZIVILGESELLSCHAFT



Martin Quack (Ed.)

Based on need alone?

Impartiality in humanitarian action

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Maecenata Institute, Berlin 2018

Foreword

As humanitarian organisations, we are bound to the principle of impartiality. This means that our actions must be carried out on the basis of need alone. They must be focused on the neediest, regardless of their ethnicity or political or religious beliefs. In theory, this is clear and logical – but humanitarian workers experience on a daily basis how difficult it is to apply this principle in reality. Because in practice, other factors play a role in humanitarian work: Conflicting parties hinder or prevent access to the most vulnerable people, as has happened in Syria and Myanmar. Humanitarian workers are themselves attacked, as in Yemen or South Sudan. Or humanitarian assistance is exploited for security or migration policy interests – as we can currently see in some European countries.

This collection of texts examines how the core humanitarian principle of impartiality is dealt with in theory and in practice, and each author develops the theme in a different way. The essays seek to build a bridge between research and practice on the one hand, and between the international discussion and the debate in Germany on the other. We are very pleased to have the opportunity to undertake this attempt together and we have found the collaborative work on this project to be an enriching experience. We would like to express our deep gratitude to the authors who have worked with us on building these bridges. In particular we want to thank our colleagues who are working with humanitarian organisations, who have given their time and expertise.

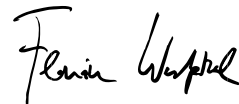
The articles are not intended to conclude the discussion, but rather to stimulate a more intensive debate. They will no doubt raise many questions that will require more in-depth investigation. It is our view that we should analyse and discuss such questions more thoroughly and systematically in Germany. Together with other organisations and actors in the field of humanitarian action, we would like to encourage such analyses and debates. As German organisations, we need a closer involvement with academic research and stronger connections to international debates. At the same time, we aim to deepen the interaction between humanitarian practice and academic discourse. We hope that this collection of essays will inspire you to join us in developing and consolidating the critical discussion of humanitarian action.



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1. Introduction

1.1 Impartiality in discussion

Martin Quack

Why is impartiality important?

What lies at the heart of humanitarian action? And what are the biggest challenges it faces? Both these fundamental questions lead us to the principle of impartiality:

Humanitarian action should help people solely on the basis of their needs. It must never discriminate according to other criteria such as gender, religion, ethnic background or political orientation. In this regard it differs fundamentally from other types of support which are explicitly given according to other criteria: Development cooperation, for example, pursues specific interests relating to issues like human rights, economic relations, or combating the causes of displacement. It is guided by political interests and not solely by human need. Humanitarian action is quite distinct from this: The principle of impartiality is its decisive characteristic.

Experts from aid organisations, academic research, governments, and the United Nations (UN) are currently discussing the various challenges faced by humanitarian assistance: The increased role of local and national actors in crisis-hit regions, digitisation and its associated innovations, the expansion of hitherto western-influenced humanitarian systems on other actors or the linkage of relief and development and the UN's Agenda 2030 Sustainable Development Goals. In such discussions, one of the biggest challenges confronting the humanitarian community is partly being overlooked: Aid workers are simply unable to actually reach the people in many crisis zones, although their needs are immense. In practice, the provision of humanitarian assistance is dependent on factors such as financing, the security situation for aid workers, and on whether local rulers or governments allow aid in. This means that the principle of impartiality does not only have a special status – it is also extremely difficult to realise in practice.

<p>The humanitarian principles</p> <p>Humanitarian action is necessary when people who are affected by natural disasters, epidemics, war and displacement are unable to cope with the emergency situation on their own, or when their governments are unwilling or unable to adequately cover their needs. Humanitarian assistance is to be allocated in accordance with the humanitarian principles:¹</p>	
The principle of humanity	The principle of humanity states that humanitarian action should above all else save lives and relieve human suffering. Solidarity with the affected people is expressed in the humanitarian imperative to provide humanitarian assistance wherever it is needed.
The principle of impartiality	The principle of impartiality is derived directly from this: Since all people have the same dignity and the same rights, and humanitarian relief is provided according to human need, every individual must be given assistance according to their needs – irrespective of their social or religious group. This not only applies in a humanitarian crisis between different groups of people, but also on a global scale. Impartiality is a factor that clearly distinguishes humanitarian action from other forms of support, as well as from international collaboration in which impartiality is not a prerequisite.
The principle of independence	Whereas the first two principles are considered ethical values in themselves, the principle of independence is generally viewed as a necessary tool to ensure that assistance can be provided solely based on need. It asserts that humanitarian action must be independent from other interests such as national security or financial interests.
The principle of neutrality	The principle of neutrality states that humanitarian action must not give preference to any conflicting party. It does not possess an ethical value itself, but is also considered a tool: Upholding neutrality is often essential to gain the respect of all parties in a conflict. Only then do humanitarian actors have a chance of reaching the people who most urgently need help.
<p>The humanitarian principles were drawn up by the International Red Cross and Red Crescent Movement. They were included in UN General Assembly resolutions in 1991 and 1994.² Governments³ and non- governmental organisations⁴ have repeatedly made a commitment to them. Moreover, access to people in need is a matter of human rights: According to the Geneva Convention, conflicting parties must allow relief to be provided if it is necessary and impartial.⁵</p>	

Broadening the discussion

Due to the difficulty of realising impartiality in practice, it is important that we analyse both the political context of humanitarian action and the practical experiences of humanitarian workers in specific contexts and then discuss the consequences. This is what this collection of texts aims to do: It deliberately brings together authors from academic research and from humanitarian practice, creating a link between debates in Germany and the broader international discussion.

In order to deepen the debate on impartiality, the authors examine some of the fundamental questions involved on various levels: What is the current status of the humanitarian system and how does this affect the principle of impartiality? Do so-called ‘forgotten crises’ call impartiality into question? And what does the process of localisation in humanitarian action mean for impartiality?

Is the humanitarian system broke or broken? This was a question that was raised in the run-up to the first World Humanitarian Summit (WHS) in 2016. The fact is, although the available funds have increased significantly, humanitarian actors are unable to meet the worldwide need for assistance. Moreover, assistance is often not provided impartially. But in what way exactly does the current political context impede humanitarian action? Does it exacerbate the crises around the world that force people into hardship? And what might humanitarian action look like in the future? Antonio Donini poses these fundamental questions in the first essay. He analyses what he describes as the “crisis” of humanitarianism (p. 26), and raises questions on where this crisis might lead. Will western governments and organisations lose influence in the wake of “decolonising humanitarianism” (p. 21) and the decreasing importance of multilateral institutions? Will other centres of humanitarian thought and action flourish instead, perhaps bringing new “mobilising myths” to the fore (p. 25)? And will humanitarian organisations be compelled to find new, public and civic funding sources for their work? Donini asserts that fundamental change is required because the current system does not “serve us well in the new and violent international and political landscape we face” (p. 26).

However, the people on the ground – both the affected populations and relief workers – cannot afford to wait for the necessary changes, assert Julia Steets and Katherine Haver in response to Donini. They claim that despite all the fundamental problems, humanitarian workers have to find a way to deal with

the specific practical challenges on the ground every single day. This is the only way they can provide assistance. So what role do the humanitarian principles play in this, especially the principle of impartiality? How can the principles be implemented, even in particularly difficult contexts? The authors make concrete proposals for this and shine a spotlight on the small number of organisations that are already providing relief in extremely dangerous contexts. In closing, they raise another important question: Can German non-governmental organisations (NGOs) deliver significant added value at all in such contexts?

The principle of impartiality does not only apply within a specific humanitarian crisis – it also means there has to be equality of assistance among different crises around the world. In other words, people should receive relief solely on the basis of their need, wherever this is necessary – be it after a natural disaster or in a war, in distant countries or on the borders of Europe. In reality, however, many crises are forgotten or neglected – financially, politically, and in the media. What significance does the principle of impartiality have in these crises? Is it true that some crises are ‘forgotten’ because the donor countries lack the political interest to finance humanitarian action? If so, it would mean that in such cases strategic interests determine the provision of assistance rather than people’s needs.

One of the few recent and empirical examinations of how funds are granted for forgotten crises was written by Neil Narang. His analysis is presented in Martin Quack’s essay. Quack describes how Narang uses statistical methods to examine the influence of various factors on the amount of humanitarian assistance provided in civil war regions, both during a war and afterwards. According to Narang’s analysis, humanitarian assistance basically adheres to the humanitarian principles as long as civil wars are ongoing – in other words, assistance in such cases is largely dictated by humanitarian factors. However, after wars have ended, political interests assume more importance as regards the allocation of funds. Narang’s conclusion is important and it raises further questions: Can this difference between wartime and postwar periods be linked to a sharp drop in international attention when a war is over? And if so, what is the nature of this link?

In her essay, Sabrina Khan examines the reasons why crises are forgotten. She presents various factors and illustrates them based on the practical experience of Islamic Relief in Yemen and Myanmar. In both of these countries, relief

organisations sometimes have no access to the people in greatest need – even though they act with neutrality, impartiality and transparency. However, “forgotten crises should not just be left to NGOs”, says Khan (p. 54). Instead it is the “duty and responsibility of states and the whole international humanitarian community” to give them adequate attention (ibid.).

During the WHS, the notion of strengthening the role of local actors gained momentum – the so-called ‘localisation’ of practical relief and the humanitarian system. In concrete terms it was decided, as part of the Grand Bargain, that much more money should be transferred directly to local actors in future. But what exactly is a ‘local actor’? Ed Schenkenberg van Mierop explores this in his essay – while raising the objection that the question should not be given priority over the question of how relief can be as humanitarian as possible. He examines the effect of localisation on impartiality and argues that local and international organisations need to work together and to learn from each other if they want to implement the humanitarian principles.

Inez Kipfer-Didavi counters that local actors are quite able to implement the humanitarian principles – as long as the institutional and financial conditions are right. She sketches out a comprehensive localisation approach that incorporates the informal local level and allows affected people to play a role in the planning and provision of their relief. Such an approach goes much further than direct financial support for NGOs and requires “a strengthening of community engagement competences among international and local actors” (p. 80).

Inspiring further debate

This collection of essays reaffirms that there is still a lot of work to be done in achieving humanitarian action that is designed by affected people and their organisations. The essays compiled in this collection have mainly been written by representatives of international organisations from the global north. However, the authors reflect on this problem and put their conclusions up for debate. It is our hope that this collection makes a substantial contribution on the path to achieving greater diversity and exchange of ideas in humanitarian action.

Translated from German by Alexander Zuckrow

Endnotes

- 1) On the humanitarian principles, see also https://www.unocha.org/sites/unocha/files/OOM-humanitarianprinciples_eng_28Feb2017_0.pdf [09.03.2018].
- 2) Ibid.
- 3) See, for example, the Good Humanitarian Donorship Initiative, www.ghdinitiative.org [09.03.2018], and the European Commission, 2008: The European Consensus on Humanitarian Aid.
- 4) See, for example, the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief, 31.12.1994, Publication Ref. 1067. Available at: <https://www.icrc.org/eng/assets/files/publications/icrc-0021067.pdf> [09.03.2018].
- 5) See Common Article 3 of the four Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977.

2. The end of impartiality?

2.1 The future of humanitarian action: Reflections on impartiality

Antonio Donini

Humanitarianism is in crisis – but what are the current challenges? And in what ways could the humanitarian system change in future? Will western actors gradually lose control, to be replaced by other centres of humanitarian thought and action? And do relief organisations need to find new ways of financing their activities? The author is convinced that only a complete transformation of the system can help to end the suffering of civilians in an increasingly complex, insecure and violent world.

Predictions are always difficult, especially about the future. That's what US baseball player Yogi Berra used to say. Nevertheless, in this essay I will focus on the evolving context in which humanitarian action takes place and the space it occupies between the hard rock of politics and the vagaries of pragmatism. I will spare the reader an analysis of what is wrong inside the humanitarian machine – the nitty-gritty of coordination, the daily slog through clusters and log-frames and the more or less futile attempts at reform.

I come from Italy, where people are skilled in a very peculiar science called 'dietrologia', or 'behindology'. The topic of this essay, then, is the 'behindology' of humanitarianism. It will attempt to unscramble the functions that humanitarianism performs in twenty-first century international relations, and the codes that underpin it.

'Humanitarianism' has always been an ambiguous concept

The concept of humanitarianism is fraught with ambiguities. It connotes several separate but overlapping realities: an ideology, a movement and a profession. Together, they form a political economy. But humanitarianism is also an establishment, a complex system that operates on power relationships, and an ecosystem, in which different species of humanitarians compete and co-exist. What unites the various facets of humanitarianism is a broad commitment to alleviating suffering and protecting the lives of civilians caught up in armed conflicts or other disasters. Despite this common goal, however, the ideology, the movement, the profession and the establishment are deeply fractured.

Like other 'isms' – communism and catholicism come to mind – humanitarianism propounds lofty aims that serve to hide deep contradictions, conflicting alignments and power plays, manipulation and instrumentalisation, personality cults, struggles over resources and market share and, sometimes, shady financial transactions. It includes defenders of the orthodox high church, heretics, fellow travellers, revisionists and extremist fringes. And nowadays there are also for-profit and military wings.

Organised humanitarianism – the international, national and local institutions that provide assistance in times of crisis – commands huge resources: up to US\$27 billion in

2016.¹ The humanitarian system can decide where to use this money or not. Organised humanitarianism also constitutes an important form of governance. Not in the sense that there is a single force or source of power that directs its work. ***Rather than principles or overarching strategies, what keeps the system (somewhat) together is its network power.***

This power is concentrated around an oligopoly of a small group of donors, UN agencies and NGOs. These actors set the rules of the humanitarian club. Organised humanitarianism is 'of the west' in the sense that western donors, and the organisations they support, call most of the shots. The west does not own and operate humanitarian governance, it maintains a controlling influence over it – much like it does for global security and economic governance.

Existential malaise permeates the humanitarian system

This de facto control over discourse and action has always been problematic, but now it seems to have hit a stumbling block. An existential malaise is permeating the humanitarian 'system'. Growth and institutionalisation have affected the way it functions. The increase in professionalism and bureaucracy is not new, but the very weight of organisational complexity affects the speed and effectiveness of response.²

Like many systems, organised humanitarianism suffers from the classic transition of institutions from means to an end to ends in themselves. As humanitarian scholar Hugo Slim acutely notes:

"The Weberian struggle between charisma and bureaucracy is alive and well in humanitarian organisational culture today, and the dominance of bureaucracy is felt by many to have a negative effect on the type, tempo, daring and success of operations."³

How impartiality suffers in the current system

However, it is the external causes of the malaise that are of most concern. The task of saving and protecting lives, and of doing so impartially and independently, is affected, as perhaps never before since the end of the second world war, by the inability of the so-called international community to address armed conflict in any meaningful way. Where they are not blocked, humanitarian interventions follow the dictates of Realpolitik. If you follow the money, it is easy to see that salve is applied selectively.⁴

Current funding mechanisms do not ensure that humanitarian action is provided in a truly impartial manner, that is, according to need not only within crises but also across crises. Vulnerable and at-risk people in forgotten or ignored crises suffer because of funding gaps triggered by the political preferences of particular international donors (see the articles on forgotten crises from p. 26).

But the challenges to humanitarian principles, and to impartiality in particular, run much deeper and start at the top, as this statement suggests:

“Aleppo is to Syria today what Guernica was to Spain during its civil war, a martyred city and the harbinger of more disasters to come. Equally, the United Nations (UN) risks becoming, in the 21st century, what the League of Nations became in the 20th: irrelevant.”⁵

This is not written by a rabble-rousing NGO activist or rebel academic. It comes from one of the permanent members of the UN Security Council – the permanent representative of France.

From Afghanistan to Ukraine, from Libya to Yemen, from South Sudan to Syria, the UN Security Council is blocked. And there is no respite in sight for civilians. Many crisis settings are now ‘Inter- national Humanitarian Law (IHL)-free war zones’. Indeed, IHL is ignored and humanitarian principles are jettisoned – whether by state, or non-state, armed groups. Slaughter, torture, and ‘surrender or starve’ strategies thrive, despite much hand-wringing.

Those who manage to flee war zones do not fare much better. Well before US President Trump’s election, Europe, the cradle of western enlightenment and humanitarianism, had become a flag-bearer for an untrammelled rollback of rights. Many states parties to the 1951 refugee convention have abandoned their legal responsibilities. Instead, they have invested in deterrence measures to block entry to those seeking refuge from the terror of war zones or tyrannical regimes. The European Union is externalising its borders and pursuing short-sighted and aggressive return policies, undermining the prospects of asylum seekers stuck in Turkey or Libya. It is making aid to the Sahel and Afghanistan conditional on pushbacks or migrant suppression. Meanwhile, the global south, including some of its poorest countries, continues to host 84% of the global refugee population.⁶

Multiple perceptions of humanitarianism

Moreover, there isn’t just one humanitarianism, there are several. The northern/western humanitarian movement, rooted in various traditions of charity and philanthropy and in the civilising impulses of the Enlightenment, constitutes the dominant, multi-billion dollar, visible face of organised humanitarianism. But there are other traditions as well. Some are ancient and have only recently been noticed by mainstream humanitarians. Others are emerging and their members are increasingly vocal. They are challenging the pillars of certitude of the northern humanitarian canon. For the non-blinkered humanitarian, a wealth of studies are available that document these different traditions, including, for instance, Saudi or Turkish ones.⁷

The point is that humanitarian action and humanitarianism – the practice and the ideology – look very different depending on where you are. This was brought home to me in a recent discussion with an Indian academic who explained that she was trying to get the Indian government interested in supporting some research work on

humanitarian issues. She found it very difficult to meet anyone senior in the Indian Ministry of Foreign Affairs. When she finally met a senior official, he told her “we don’t even use the term... For us, humanitarianism is colonialism”.

Decolonising humanitarianism?

This is one of the challenges for the future. It is about the inherent colonality of a humanitarian discourse intrinsically linked to the western rhetoric of modernity – a rhetoric of compassion and salvation (yesterday) and development and containment (today) – that has spread from the European centre to the farthest borderlands of the periphery. This western ‘epistemic code’ is the software on which organised humanitarianism runs.⁸

The argument goes like this: Humanitarianism is about our relationship with distant others. We don’t usually use the term for social protection issues or disaster response ‘over here’ in ‘our’ countries. We use it for things that happen ‘over there’. Coloniality theory (Mignolo, Escobar, Duffield, among others) has taught us that the emergence of the dominant humanitarian system has much to do with the way in which the west looks at the world and shapes it. Humanitarian discourse and machinery have grown with the expansion of capitalism, the liberal order and the more or less hegemonic power relations that came with it. Humanitarian action is part and parcel of this ‘western code’ of knowledge and power.

Of course, there were other, or different, or buried under, western humanitarian traditions of protecting and caring for discourse. That these traditions are now re-emerging is interesting in itself.

Changes in the international system affect the ability to address humanitarian needs

Regardless of whether we think that decolonising humanitarianism would be a good thing, or that such a thing would be possible, there are changes happening as we speak that will have serious implications for the future of organised humanitarian action. These changes include the crisis of the multilateral system that emerged from the second world war and its ability to address humanitarian need. Organised humanitarian action as we know it is heading for very choppy seas.

I will offer the following thoughts:

- If the west is in retreat and the locus of economic, political, cultural and soft power is leaning eastwards, we can assume that this will have a significant impact on humanitarian discourse and action. Hard and soft power tend to go hand in hand. It is not inconceivable that China, and, later perhaps, India, building on the strength of their economy, will use the range of tools in the humanitarian handbook including their soft power to extend their influence to new areas, as the west has done in the past. What this does for the respect of impartiality and humanitarian principles more generally is

another matter. Perhaps 'our' aid was not seen as so impartial at the receiving end. The cold metal of the water pipe that brings clean water to a village may well be a manifestation of 'our' technical expertise and generosity, but it may be redolent of colonialism and exploitation for 'them'."

- Because the political economy of the dominant humanitarian system is a function of the way in which the 'oli- gopoly' raises, moves and controls funds, people and other essential resources, it is safe to assume that current and future tectonic shifts will increasingly challenge the current business model of the humanitarian enterprise.
- The present love affair between western donors and aid agencies may not endure. Especially if there were to be a sharp reduction in funding – because of President Trump, Brexit, financial crisis or simply because domestic priorities absorb a greater portion of tax revenue – this could lead to 'market failures' in how the mainly western oligopoly addresses crisis settings. Other players and stakeholders (private, diaspora, non-western, statist, non-principle-based, etc.) might then present increasing challenges to traditional humanitarian principles and their purported 'universalism'. This will have a direct impact on the technology and coordination structures of the dominant system. An increasing number of new or 'recently noticed' actors are bypassing these structures anyway. Turkey and China, for example, do not engage with UN humanitarian coordination structures. Even many western NGOs find these structures burdensome and tend to work around them whenever they can. And national NGOs have little access to them anyway.

Also, based on the above thoughts, a few hypotheses on where we might be heading:

Multilateralism appears to be in retreat and this is likely to continue for the foreseeable future. The crisis of multilateralism runs deeper than just Trump and Brexit. The three major international gatherings on humanitarian issues in 2015 and 2016 – the International Conference of the Red Cross and Red Crescent, the World Humanitarian Summit (WHS), and the New York Refugee and Migration Summit – produced no tangible results. Worse, they were symptomatic of an international community that has lost its capacity to negotiate on common problems.

In the aftermath of the second world war, international organisations were set up to address collective problems, and they thrived. But this push towards international norm-setting and international cooperation seems to have become a spent force. This will have significant impact on humanitarian action (including on funding and access). It can create challenges to humanitarian principles and result in even less emphasis on protection. It will also affect the ability of the so-called international community to address factors that drive crises, such as climate change and a faltering international peace and security apparatus. There is a lot of rhetoric around the importance of preventing crises. The current UN Secretary General and others point to the need for coherent or integrated approaches to crises, bringing humanitarian, development and

peace/ security instruments closer together. But the reality is that the international 'system' – from Afghanistan to Zimbabwe, not to mention Syria and Yemen – is in a state close to cardiac arrest.

The void left by the partial retreat of the US into isolationism, combined with the global war on terror, a new coldish war with Russia and a potentially very hot new war in the Middle East, will only deepen the humanitarian malaise and the ability of the system to retain a modicum of impartiality and independence. A multipolar world, or one that relies on 'minilateralism' – ad hoc coalitions of the like-minded – may not be very sympathetic to humanitarian values and will pose new challenges to humanitarian actors worldwide. This is particularly the case with western-led humanitarianism, which will increasingly find itself outside of what was its domineering comfort zone to date.

The functions that 'humanitarian' action performs in the international sphere will change, perhaps dramatically. Humanitarian action's multiple functions have included acting as a conveyor belt for western values, lifestyles, and the promotion of liberal agendas, while making countries safe for capital. If the west is now in retreat, other centres of humanitarian discourse and practice are likely to blossom. If so, this will be a major reversal for humanitarianism as we know it.

For decades, humanitarian action represented the smiling face of globalisation. It was one of the west's ways of opening up to the rest of the world. Now, it is much more about closure, containment, and shutting the door. It is about keeping the bulk of refugees and migrants away from the ring-fenced citadels of the west.

Humanitarian business models and funding might change

If western governments lose (some) control over the system, this could create an expanding role for other forms of global civil society or private action, financing and response that might still be largely based in rich countries, but potentially different in nature. The current business model of the humanitarian enterprise – with the exception of Doctors without Borders/Médecins Sans Frontières (MSF) and a few other NGOs and some faith-based organisations which are privately funded – relies heavily on the donor-UN-implementing agency triad. The fact that many international NGOs (INGOs) rely heavily (up to 70% in the case of some large US-based organisations) on government funds provided by the taxpayer creates huge vulnerabilities for such agencies if the political or economic climate or the tax base suffers rapid changes.

An expansion of the MSF model, which is citizen-funded rather than state-funded, would not necessarily be a bad thing. An INGO that relies almost exclusively on state funds is not really a civil society organisation. It is self-referential and, other than upward accountability on how it uses state funds, it has no 'members' that can hold it to account for its policies and actions.

Citizen-funded organisations like MSF are akin to movements where there is room for internal debate and, at least in theory, the constituency can overrule the leaders. Many other humanitarian agencies could be forced to find innovative approaches to raise funds to support their activities, should their state or institutional funds (e.g. EU funds) be curtailed. For example, they could, for better or worse, raise funds from private capital or a 'Tobin tax' on airline tickets or capital flows.

An important longer-term threat to the system as it is the fact that, in a global economy, (western) government tax receipts derived to a great extent from the taxation of workers within the domestic economy, may not generate sufficient funds. These will not be enough to cover escalating welfare needs, both domestic (health, welfare and social care) and global, including humanitarian response. Increased robotisation and 'Uberisation' of western economies might lead to massive unemployment levels that could severely cut funds available for overseas assistance. We are already seeing massive shifts of funds from the international to the domestic ledger: From Austria to Turkey, 'humanitarian' Official Development Assistance funds are being used for the care and maintenance of migrants and asylum seekers within domestic borders.⁹ Or perhaps funds might go to climate change mitigation rather than to humanitarian causes.

Finally, (western) humanitarianism may well have reached its historical limits and could now be on the cusp of retreat. The transition from the romantic phase of humanitarianism to the technological, institutional, and governance one, is now complete. In other words, the energy that made humanitarianism a means to accomplish valuable ethical ends is waning. The propulsive force of the humanitarian "mobilising myth",¹⁰ which provided meaning and energy to all those involved in the humanitarian endeavour, may sputter. This 'myth' provided a generation of aid workers, individually and collectively, with answers to questions about their place and social functions in the international arena. This is now under question and may be replaced by other mobilising myths (non-western, sovereignty-based, transformational, solidarity-based, or overtly politicised) or simply fade from the global scene – as has been the case for earlier mobilising myths (revolution, decolonisation, modernisation and the like).

Reflection and reform are needed

Caught between the pessimism of reason and the flagging optimism of will, what is the reflective humanitarian to do?

Perhaps the first thing is to stand back from the current crisis, the confusing background noise, the day to day struggle of innocent people caught up in unimaginable violence, and ask: How did we get here? What are the forces for change and how do we engage with them? Organised humanitarianism is stuck in the eternal present and is poorly equipped to adapt to a more complex, insecure, and threatening world.

A more narrowly focused, back to basics humanitarian enterprise would not necessarily be a bad thing. It might be narrower in scope, independent, informed solely by the views and needs of the crisis-affected, and focused on saving and protecting lives in the here and now. It would perhaps be the best way of nurturing the values and ethos of an enterprise that may be battered, bruised, and often abused, but is still often the only available safety net for people in extremis.

For now, the political and sociological obstacles to such a shift remain high. It would be necessary to buck the current trend of putting even more things in the humanitarian basket or explicitly incorporating humanitarian action into development or peace and security endeavours, and start protecting this basket from excessive instrumentalisation. The odds are not favourable. For now, the mantra in western capitals and even at the UN is for more integration of humanitarian, human rights, development and peace/security agendas, not less. There is still a long way to go before the lessons of Afghanistan, Iraq, Syria, Libya, Yemen are learned and acted upon. Meanwhile, civilians continue to die and suffer, and the inhumanity of war seems to have no limits.

It is time for organised humanitarianism to acknowledge that it is in crisis, and to come to grips with a possible reform agenda. Ideas for change are already on the table. Many were submitted with the WHS in mind. There was an expectation in the aid community that the summit would provide an opportunity to discuss transformational change. These expectations were sorely dashed; no new political consensus was negotiated. In fact, the opposite happened. And the change agreed upon – such as the so-called Grand Bargain, a set of technical measures aimed to inject more transparency and accountability in how donor funds are allocated and managed – was already ‘in the air’ and agreed upon before the summit. Even the technical has now become political, with the Grand Bargain implementation moving at the speed of tectonic plates.¹¹

History tells us that transformational change in the international system only happens in the aftermath of a major shock. Will the combination of the crisis of multilateralism, climate change, on-going vicious wars, and massive displacement provide such an impetus? The future is unclear, and many variables are at play. Can the system be patched up and made fit for purpose by injecting more diversity and democracy in the way it is run? Or has the universality train left the station for good? Is the best we can hope for a smaller, more focused western humanitarian system surrounded by an array of different approaches to saving and protecting lives? Perhaps a ‘multiversal’, loosely connected (eco) system?

What is certain is that the current humanitarian system – broke or broken or both – won’t serve us well in the new and violent international and political landscape we face.

Endnotes

- ¹ See Global Humanitarian Assistance Report. (2017). Available at: <http://devinit.org/post/global-humanitarian-assistance-2017> [27.02.2018].
- ² For a critique of the state of the humanitarian enterprise, see Planning From the Future. (2016). Is the Humanitarian System Fit for Purpose? A report produced by Kings College London, HPG/ODI London, and the Feinstein International Center at Tufts University. Available at: www.planningfromthefuture.org [27.02.2018]. The present author was one of the contributors to the report. Similar conclusions are reached by other reports produced in the run-up to the 2016 World Humanitarian Summit. For example, the Overseas Development Institute (ODI)/Humanitarian Policy Group (HPG) report Time to Let Go: Remaking Humanitarian Action for the Modern Era. Available at: www.odi.org/hpg/remake-aid [27.02.2018].
- ³ Slim, Hugo. (2015). Humanitarian Ethics. A Guide to the Morality of Aid in War and Disaster. London: Hurst & Co., p. 25.
- ⁴ Walker, Peter and Pepper, Kevin. (2007). Follow the Money: A Review and Analysis of the State of Humanitarian Funding. Feinstein International Center. Available at: <http://fic.tufts.edu/publication-item/follow-the-money> [27.02.2018]. See also the annual Global Humanitarian Assistance reports published by Development Initiatives.
- ⁵ Delattre, François and Atlani-Duault, Laetitia. (19 November 2016). Is Aleppo the Grave of the United Nations? The Lancet, Vol. 388, No. 10059, p. 2473. Available at: [www.thelancet.com/journals/lancet/article/PIIS0140-6736\(16\)32122-5/fulltext?rss%3Dyes](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(16)32122-5/fulltext?rss%3Dyes) [27.02.2018].
- ⁶ See www.unhcr.org/globaltrends2016 [27.02.2018].
- ⁷ See, for example, the series of studies produced by HPG/ODI: www.odi.org/publications/10582-learning-past-shape-future-lessons-history-humanitarian-action-africa [27.02.2018]; www.odi.org/publications/9529-understanding-humanitarian-action-south-asia-responses-famine-and-displacement-nineteenth-and [27.02.2018]; www.odi.org/publications/9019-ancient-origins-modern-actors-defining-arabic-meanings-humanitarianism [27.02.2018]; www.odi.org/publications/8661-responsibility-legitimacy-morality-chinese-humanitarianism-historical-perspective [27.02.2018]; www.odi.org/publications/8787-histories-humanitarian-action-middle-east-and-north-africa [27.02.2018]. The International Committee for the Red Cross has also investigated the compatibility of International Humanitarian Law and Islamic law. The Global Public Policy Institute, amongst others, has conducted studies on Saudi, Turkish and other approaches to humanitarian action.

⁸ For a more detailed discussion of coloniality and humanitarianism, see Donini, Antonio. (2016). *Decoding the Software of Humanitarian Action: Universal or Pluriversal?* In Volker M. Heins, Kai Koddenbrock, and Christine Unrau (eds.), *Humanitarianism and the Challenges of Cooperation*. London and New York: Routledge.

⁹ See Integrated Regional Information Networks (IRIN) article. (21 July 2017). Available at: <https://www.irinnews.org/investigations/2017/07/21/aid-credibility-stake-donors-haggle-over-reporting-rules> [27.02.2018].

¹⁰ On the concept of mobilising myth see: Augelli, Enrico and Murphy, Craig. (1997). *Consciousness, Myth and Collective Action: Gramsci, Sorel and the Ethical State*. In Stephen Gill and James H. Mittelman (eds.), *Innovation and Transformation in International Studies*. Cambridge: Cambridge University Press.

¹¹ For an analysis of the outcome of the WHS, see Donini, Antonio. (2016). *World Humanitarian Summit: A Lost Opportunity? Humanitarian Alternatives*, N. 3.

2.2. Dealing with challenges to decisions based on the humanitarian principles¹

Julia Steets and Katherine Haver

Providing aid impartially poses major challenges for aid agencies, but there are specific ways to address these. For example, humanitarian actors can openly discuss compromises and adopt ethical risk management. These and other approaches have proven to be effective in organisations that are able to work in very insecure contexts. Can German NGOs bring any significant added value to such contexts by providing aid themselves? Or would it be more efficient and effective for them to support other organisations?

In his essay in this publication, Antonio Donini powerfully describes the malaise of the current humanitarian system, which is overly bureaucratic, northern, and politicised. Donini makes suggestions on how the “reflective humanitarian” (p. 15) can adjust his thinking and calls for a general transformation of the system.

Our approach is different. We look at the situation from the bottom up, starting with the old-fashioned, dirty-booted humanitarian trying to deliver assistance in often very challenging contexts. We agree that the humanitarian system faces fundamental problems. But it continues chugging on fairly undeterred for the time being. That means it is worthwhile to look at the specific challenges humanitarians seeking to deliver assistance in a principled way are experiencing in the field. This essay will attempt to do this and will discuss how humanitarians can deal better with these challenges.

Ethical dilemmas are inevitable

Our ‘old-fashioned humanitarian’ tries to deliver assistance as best she can. To her, adhering to the principles of humanity, impartiality, neutrality, and independence is a question of morality and ethics – of doing the right thing in the right way. It is also a matter of identity as a humanitarian. Last, but not least, it is a practical consideration as it is the most proven way to protect the people she seeks to assist as well as herself.

Humanitarian workers often treat the principles like a mantra, as absolutes that must be ‘complied’ with under all circumstances. Yet, in practice, it is not a matter of complying with the principles, but of applying them to specific situations. Ethical dilemmas inevitably arise when working in areas that experience armed conflict, attacks on aid workers, and a multitude of restrictions on the delivery of aid.

Acting in a principled way, therefore, does not mean always avoiding compromises or concessions. Rather, it means being aware of the options available and deciding consciously whether to make compromises and which kind, bearing in mind that these decisions can also have important long-term implications.

There are many practical challenges to impartiality

As an example, let's consider impartiality as the most central of the principles that helps translate humanity into practice. Impartiality means that humanitarian assistance and services should be offered on the basis of need alone. There are many reasons why this can be difficult to achieve.

The global allocation of funds, for example, is often influenced by political considerations (see the articles on forgotten crises from page 26). In-country, aid organisations and their staff may have their own biases, favouring certain clans, gender or ethnic groups, or family members. In addition, governments, armed actors, or local communities may pressure or threaten aid agencies to deliver assistance in their area or avoid other areas.

Countering this is difficult when aid agencies lack information and do not know how many people are in need or how severe their needs are. It's also difficult when the idea of targeting aid at the most vulnerable is in conflict with local norms and existing community support mechanisms.

In practice, it is not a matter of complying with the principles, but of applying them to specific situations.

Aid agencies can deal with these challenges to impartiality in different ways

Those who want to reach those most in need – and there is only a small number of humanitarian organisations that are willing to work in the highest risk locations to do this² – can do a few immediate things to deal with these challenges.

One approach is to make small, carefully considered compromises to gain access. Aid organisations can, for example, offer some limited activities to benefit less vulnerable groups if that allows them to deliver assistance and offer services to those most in need. Offering aid simultaneously to communities in conflict with each other can also be a solution.

Doing so, humanitarians should always recognise explicitly that they are making compromises and encourage staff, especially local staff or partners, to openly discuss trade-offs and their consequences. The current practice is to portray the principles as inviolable. This makes staff and partners afraid to raise possible compromises with their managers and take important decisions without consulting them.

Another measure is to be more aware of the potential biases of staff members and partners by analysing them. This helps organisations to better anticipate and address problems that can stem from the identity or political or religious orientation of staff members and partners. It can also be important to avoid over-reliance on hyper-local staff or partners, i.e. staff and partners drawn from the very communities the organisation is trying to help, as this can increase the risk of favouritism and bias.

Finally, humanitarian organisations should contribute to a realistic picture of how many of those in need they reach. Due to some of the institutional dynamics that Antonio Donini mentions in his essay in this publication, humanitarian organisations often exaggerate their presence and capacity to deliver to attract more funding from donors and the general public.³ This, however, leaves communities who would need it without support. The humanitarian system, therefore, needs more robust reporting systems to track who actually delivers what where, and organisations need to contribute to these systems frequently and transparently.

To generally get better at applying humanitarian principles, agencies should adopt ethical risk management

More generally, humanitarian organisations need risk management approaches that consider ethical risks if they want to deal better with challenges to humanitarian principles. There is a trend, at least among larger humanitarian organisations, to adopt formal risk management systems. Based on global risk registers, these organisations analyse and prioritise risks. On this basis, they address and mitigate the most important risks. Field staff tend to appreciate the approach as it allows for a systematic and complete analysis, weighing up the likelihood and potential impact of a threat.⁴

However, most current risk management approaches have two important shortcomings:

1. They often do not include ethical risks or ethical risks are subsumed under many other operational or reputational risks.
2. They do not, in most cases, formally weigh up risks against the expected benefits of an action or operation.

Risk mitigation systems should, therefore, not only formally consider ethical risks, but help decide how much risk organisations are willing to accept depending on how critical an intervention is. This helps organisations decide how much residual risk they are willing to accept in different situations.

Organisations working in the most difficult contexts share a set of other good practices

A relatively small but diverse group of organisations has better access to people in need in particularly difficult areas.⁵ These organisations have certain approaches and practices in common.⁶ They:

- have a strong organisational culture that prioritises meeting the most acute humanitarian needs, however difficult that may be;
- try to involve people affected by decisions in the decision making process and invest in understanding the local context;

- accept that compromises may be necessary and make space for difficult conversations, especially between local and international staff or their partner organisations;
- allow staff on the ground to make difficult decisions, supported by managers in capitals and regional offices or headquarters who check in with them frequently;
- have a good system for escalating important decisions, making sure decisions on risks that can have major consequences for the people they affect, or the organisation, involve senior management;
- have access to some degree of independent (unearmarked or loosely earmarked) funding which means they have flexibility to change interventions if the context alters or input from affected people requires it;
- map ways in which the political interests of donors could influence humanitarian assistance in specific contexts to enhance their operational independence;
- challenge regulations and practices that impede their operations where donor funding imposes limitations on decision-making based on the humanitarian principles;
- incorporate ethics into regular processes, such as training and staff discussions, performance reviews and evaluations;
- document difficult decisions (including decisions not to act) to create an 'institutional memory' and promote learning.

The list shows that any organisation that difficult environments needs to make wants to be able to work in the most considerable investments.

Implications for humanitarian practice and debate in Germany

What does this mean for humanitarian practice and debate in Germany? The German humanitarian landscape has certain traits that merit special consideration in this context.

The German government has a reputation for being a relatively 'hands-off' donor. This allows humanitarian organisations funded by the German government much of the independence and flexibility that is necessary for a principled response. To preserve this in the longer-term, German NGOs should go the extra mile today to demonstrate that they are impartial in the way they provide assistance. Tracking with precision how their activities correlate with levels of needs and gaps left by other responders would be a first, critical step in this direction.

There is strong political pressure in Germany to use aid to tackle the root causes of forced migration. The lion's share of German humanitarian funding already goes to Syria and its neighbours (according to the United Nations Office for the Continuation of Humanitarian Affairs (OCHA) Financial Tracking Service, almost 50 percent was allocated to Syria, Lebanon, Jordan, and Iraq in 2017). The German government offices in charge

of deciding how funds are used should defend a global allocation based on need. German NGOs should support them in this effort. If necessary, they can do this by rejecting funding for crises they consider overfunded compared to other, more forgotten emergencies.

German NGOs do not currently have a strong presence and operations in the most difficult and dangerous environments. This does not necessarily mean they should build up this capacity – as this would require significant investments in staff capacity, risk management, and financial flexibility, amongst other things. Rather, they should consider whether they could add significant value in these contexts, or if it would be more cost-efficient and effective to further invest in other organisations who already have a comparative advantage in working in these settings. This would require them to leave behind competitive institutional instincts – maybe itself a prerequisite for principled humanitarian action.

Endnotes

¹ This contribution is based on research conducted for the Secure Access in Volatile Environments (SAVE) programme by Humanitarian Outcomes and the Global Public Policy Institute (GPPI), available at: www.saveresearch.net [26.06.2018], in particular the reflections on ethical decision-making outlined in Haver, Katherine. (November 2016). Tug of War. Ethical Decision-Making to Enable Humanitarian Access in High-Risk Environments. Network Paper No. 80. London: Overseas Development Institute. Available at: www.gppi.net/fileadmin/user_upload/media/pub/2016/SAVE_2016_Ethical_decision-making_to_enable_humanitarian_access_in_high-risk_environments.pdf [26.06.2018].

² Recent research shows that there is only a small number of humanitarian organisations that consistently work in the most difficult environments. See: Stoddard, Abby and Jillani, Shoaib. (2016). The Effects of Insecurity on Humanitarian Coverage. SAVE. Available at: www.saveresearch.net/presence-and-coverage [26.06.2018].

³ Ibid.

⁴ Stoddard, Abby, Haver, Katherine, and Czwarno, Monica. NGOs and Risk. Humanitarian Outcomes. Available at: www.humanitarianoutcomes.org/projects/ngos-and-risk [26.06.2018].

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⁶ Haver, Katherine lc.

2.3.Casestudy: Doctors without Borders in Syria

Jolina Haddad

Doctors without Borders in Syria

- *Brutal civil war since March 2011*
 - *Operation of five health centres and three mobile clinics as well as partnerships with medical facilities in northern Syria*
 - *Support for medical facilities in the form of medicines, materials, advice and funding in areas where direct access is not possible*
 - *Up to now, no permission to provide relief in areas under government control*
- Medical care for Syrian refugees in neighbouring countries*

The brutal conflict in Syria has been raging for more than seven years, and has brought terrible suffering on the civilian population. According to UNHCR, more than five million people have been forced to flee Syria since 2011, and over six million men, women and children have been displaced within the country.

In many regions, the Syrian health system has completely broken down. The few remaining health facilities often have to operate under extremely difficult circumstances: There are regular power cuts and there is a lack of materials, fuels and clean water. Regular air attacks on medical institutions have dramatically worsened the situation. According to the World Health Organization, by the end of 2017 over half of all Syrian health facilities had been completely destroyed or were only able to operate on a limited basis.

At the same time, over 13 million people are dependent on humanitarian relief – among them almost three million men, women and children who are trapped in areas that are under siege or difficult to reach. They have hardly any access to humanitarian relief or medical care and are often cut off from the outside world for months at a time. Accordingly, the needs of these people are especially urgent.

Based purely on humanitarian need, the operation in Syria should be one of the largest in the history of Doctors Without Borders/Médecins Sans Frontières (MSF). But this is far from being the case. Although MSF was able to implement its own projects in many locations when the conflict began, its teams now have no access to large areas of the country due to the dramatic escalation of the conflict. As a result, we have been unable to reach a large portion of the people who depend on humanitarian relief.

As a humanitarian medical organisation, MSF strives to concentrate its relief efforts on those people most in need – regardless of their ethnic background or political and religious beliefs. This is in line with the spirit of impartiality. However in Syria, MSF finds it almost impossible to uphold this principle given the prevailing political situation. There are many reasons for this:

Despite numerous attempts at negotiations, MSF has so far not been given permission by the Syrian government to operate in the areas under its control. We are also unable to operate in areas under the control of the so-called Islamic State due to a lack of security guarantees. As a consequence, MSF is currently only able to maintain a presence in a few parts of the country. In northern Syria we operate five health centres and three mobile clinics. We also have partnerships with five medical facilities.

Since 2011, MSF has also provided support to clinics and medical networks in areas where we have no direct access. These programmes generally have to be coordinated from outside of Syria. Due to the extremely difficult security situation, MSF is unable to send any of its staff into these regions. Our support is therefore limited to the provision of medicines and materials, training and remote technical guidance, or financial assistance.

Attacks on medical facilities greatly impede this form of support. Many members of staff were forced to flee or were killed, and in many places clinics were destroyed. In 2016 alone, 32 medical facilities supported by MSF were targeted in 71 bombing and missile attacks. The consequence of this is that clinics are no longer safe places. Many patients avoid medical facilities because they are afraid of attacks. The services the clinics are able to provide under these circumstances have been reduced to a minimum. This means that often our help does not reach the people here who most need it.

The example of east Aleppo vividly illustrates how difficult it can be to focus relief efforts on the people most in need in such circumstances: Since 2014, MSF has been providing regular supplies to medical facilities in the eastern part of the city. From July 2016 onwards, this was no longer possible because the city was under siege by troops coordinated by the Syrian government. Despite the massive suffering the besieged population had to face for many months, we were unable to deliver humanitarian relief goods into the area.

Ultimately we are simply not able to reach the majority of Syrian people who desperately need humanitarian assistance because the political interests of the conflicting parties are preventing our access. It is therefore impossible for MSF to provide needs-based relief in many areas of Syria. The example of Syria shows that providing impartial support in conflict zones can be extremely difficult. Political decisions have a direct effect on the provision of impartial humanitarian assistance and thus on the well-being of the affected people.

Translated from German by Alexander Zuckrow

3. Forgotten crises and impartiality

3.1. Need vs. political interests: How is aid allocated to countries suffering from war?

Martin Quack

What factors determine how much aid is provided to countries suffering from war? A 2016 study by Neil Narang from the University of California addresses this question. Narang identifies key factors which indicate humanitarian need and political interest in civil and post-civil war states. His findings indicate that aid for countries at war is more humanitarian than strategic. However, his results provide some support for the claim that political interests play a role in the allocation of aid to post-war countries.¹

The humanitarian principles dictate that donors and agencies respond to crises in proportion to people's level of need. But despite this, allocation of humanitarian assistance across civil war and post-civil war states shows remarkable variation that is not easily explained by differences in need.

The conflicts in Kosovo, Bosnia, Iraq, and Afghanistan, for example, have received the lion's share of international humanitarian aid over the last two decades. Equally destructive conflicts in Somalia, Sierra Leone and East Timor have been relatively neglected by donors and aid organisations.

How come these conflicts are 'forgotten'? Or, rather, why is it that some emergencies tend to receive adequate levels of funding, while others are allocated little or no humanitarian assistance?

Policymakers and aid practitioners often suggest that foreign policy interests, or indeed the lack of them, are the main reason for this variation. From this perspective, many humanitarian emergencies are either ignored or gradually neglected over time because they provide no compelling reasons for action beyond humanitarian need. These claims do not bode well for the overall humanitarian enterprise.

Assessing how aid is allocated

To comply with the humanitarian imperative and its associated principles of neutrality and impartiality, aid donors and humanitarian agencies must respond in proportion to need in every situation where people are suffering from a lack of life-sustaining resources. If, however, humanitarian aid is equally susceptible to the political priorities and strategic interests of donor governments, it should claim no special status in relation to other foreign policy tools more openly aimed at advancing the interests of donors.

To assess how aid is allocated, some researchers have focused on explaining aggregate levels of Official Development Assistance (ODA). They have measured the impact of 'humanitarian' versus 'strategic' factors on how foreign assistance is allocated.

However, these studies can obscure important differences across different types of assistance.

Evidence that strategic interests affect the provision of development aid may not be particularly surprising or controversial. But a similar finding with respect to humanitarian aid would directly contradict the core principles of humanitarianism. However, there is a lack of systematic evidence to prove that foreign policy interests dominate humanitarian concerns when aid is allocated.

This essay considers the significance of recipient need versus strategic interests specifically in humanitarian assistance to civil conflict and post-conflict states.

Humanitarian assistance in principle and the politics of ‘forgotten’ conflicts in practice

The idea behind humanitarian assistance is straightforward. Individuals struggling as a result of natural and man-made emergencies have the right to life-sustaining resources and protection of their basic human rights. The humanitarian principles, defined in the introduction to this collection of essays, aim to ensure that assistance is provided based on need alone, rather than political or strategic interest or cultural affinity.

The principle of ‘impartiality’ requires that assistance is provided without regard to nationality, race, religion or political views. This is meant to ensure that in all crises, need is assessed equally. This principle is not only relevant for how aid should be distributed within a specific crisis, but also on the global level.

Humanitarian practice, however, is much more complex. As Gourevitch notes:

“The scenes of suffering that we tend to call humanitarian crises are almost always symptoms of political circumstances, and there’s no apolitical way of responding to them — no way to act without having a political effect.”²

Impartiality, it seems, is impossible when humanitarianism is bound to relieve warring parties of the burdens attached to waging war.³

In addition, independence may be a luxury few organisations can afford in today’s increasingly competitive humanitarian aid industry – because donors are able to choose from several agencies and select ones which give them greater bargaining power and more control over how assistance is allocated.

As a result, the ‘politicisation’ of humanitarian aid has become an important topic of debate in the last decade. Policymakers and practitioners often criticise humanitarian actors for disproportionately focusing resources on high-profile areas rather than where need is greatest. This criticism is perhaps loudest with respect to complex emergencies like civil wars. For instance, Vaux claims that, “after 11 September 2001, western security has come to dominate all other agendas, moving aid and humanitarianism even further towards the core of politics”.⁴

Defining 'need'

There are without question vast numbers of people suffering in 'forgotten conflicts' today. Donors' declarations of support and commitment to humanitarian principles mean little to them. But increasingly this has led critics to the more general presumption that many conflicts are neglected because they provide no compelling reason for action beyond need. In other words, the provision of humanitarian relief appears to be governed just as much, if not more, by the political priorities of donors as it is by genuine need.

Indeed at first glance, the global humanitarian response to conflict-affected states often appears to bear little relationship to the most common indicators of global need. This includes the number of conflict-related deaths, income per capita, infant mortality rates, or the number of refugees and internally displaced persons (IDPs).

The provision of humanitarian aid is likely to be dictated by a range of factors that affect recipients' need for assistance (demand-side factors) and donors' willingness and ability to provide relief (supply-side factors).

Within this complex calculus, it is possible that indicators of need have a systematic effect on the allocation of humanitarian aid after controlling for other factors. And perhaps more importantly, the same is true for indicators of strategic interests. Controlling for the level of need across recipients, the political priorities of donors may systematically affect the allocation of humanitarian aid.

Narang's research approach

What distinguishes conflict areas that receive high levels of humanitarian assistance from those that receive little or none? To help answer this question, Narang's research looked at the largest and most exhaustive set of data available on humanitarian aid disbursements from 1969 to 2009. The data was assembled by the Organisation for Economic Co-operation and Development (OECD), and Narang used it to assess the relative importance of strategic and humanitarian factors in the allocation of assistance across conflict and post-conflict areas.

Specifically, his analysis uses the humanitarian aid component of ODA disbursements to countries and regions (DAC2a) to estimate the total amount of humanitarian aid disbursed each year. Within the definition of ODA, humanitarian aid is defined as: "assistance designed to save lives, alleviate suffering and maintain and protect human dignity during and in the aftermath of emergencies. To be classified as humanitarian, aid must be consistent with the humanitarian principles of humanity, impartiality, neutrality and independence".⁵

Independence may be a luxury few organisations can afford in today's increasingly competitive humanitarian aid industry.

The data includes bilateral disbursements from Development Assistance Committee (DAC) members, disbursements from non-DAC members, and aid financed through multilateral institutions and NGOs.

Measuring donor interests during and after civil war

In theory, the objectives of 'humanitarian aid' are well defined across donors. However, in practice, there is no shared definition of 'humanitarian need' – despite the fact that assessments of need are supposed to inform decisions about where to intervene, and to what scale. The Consolidated Appeals Process (CAP) was not established until the United Nations General Assembly resolution 46/182 was adopted in 1991. (The CAP is a tool used by humanitarian organisations to approach the donor community.) Furthermore, the technical guidelines for CAP did not emerge until 1999, and the Humanitarian Reform process was not started until after the period under observation in 2005. This process was initiated by the Emergency Relief Coordinator, together with the Inter-Agency Standing Committee (IASC) to improve the effectiveness of humanitarian response.

Researchers Darcy and Hofmann found that formal needs assessments are often marginal and generally not the most important trigger for a humanitarian response. Their research is based on 200 interviews with key field- and headquarter-based staff in agencies and donor organisations. They found that there is no clear formula for how donors and agencies set a budget for a country or region. Requests often appear to be based on judgements that have little to do with need.⁶

What makes the decision-making process around humanitarian aid particularly opaque – and unique compared to development aid – is the rapid, emergency nature of relief to distressed populations. Donors and humanitarian organisations operate on annual budgets agreed by an executive committee at the beginning of each year. But a substantial portion of humanitarian activities are funded on 'flash' or supplementary appeals due to unanticipated emergencies. This has important implications for how conflicts and conflict termination are handled in the policymaking process.

For example, interventions in newly initiated and rapidly evolving wars are largely funded through supplementary appeals. The short time-frame offers limited scope for negotiations and requires a serious humanitarian commitment. On the other hand, post-conflict and other "chronic situations are based on a 'rolling' review of programmes".⁷ They may be funded under annual budgets where there may be no formal needs assessment, such that a programme may be more likely to end if it is considered to be no longer relevant.

The seemingly banal and bureaucratic distinction between supplementary and annual budgets may provide a window in which the principle of targeting need during conflict may give way to practical judgements at a post-conflict stage.

In the absence of clear decision-making guidelines, Narang analysed data to identify reasonable measures of both the strategic interests of donors and the humanitarian needs of conflict and post-conflict recipients. The aim was:

- to estimate the strategic interests of donors and the humanitarian needs of conflict and post-conflict recipients separately;
- to provide a full model of donor behaviour to assess their relative importance in how humanitarian aid is allocated during and after civil wars.

Narang focused on the five most common indicators of strategic interests and humanitarian need in the literature. These include the following political-strategic interest indicators:

- Oil exports: Has the recipient significant oil exports?⁸
- Former P5 colony: Is the recipient a former colony of the P5 (the five permanent members) in the UN Security Council?⁹
- P5 contiguity: Is the recipient located within 400 miles of one of the P5 in the UN Security Council?¹⁰
- P5 affinity: How similar was the voting of the recipient with the P5 in the UN Security Council in the year the war started?¹¹
- Democracy polity average: How democratic was the recipient over the five years before the war started.¹²

In addition, Narang includes the following humanitarian need indicators:

- Gross Domestic Product per capita, measured annually;¹³
- Infant mortality rates, measured at the start of the war for countries in conflict, and at the end of the war for post-conflict countries;¹⁴
- Life expectancy;¹⁵
- Logged number of conflict-related deaths;¹⁶ ? Logged number of refugees and IDPs.¹⁷

This list is not exhaustive. The strategic interests of donors and the humanitarian needs of recipients may be characterised by several different factors – too many to model here. Narang focused on the most common variables, which are widely used in the majority of literature on foreign aid. In doing so, his goal was to extend this literature to the allocation of humanitarian assistance for the first time.

Research findings for countries in conflict

For the in-conflict sample, Narang's statistical analysis provided little support for the notion that donors' strategic interests substantially dictate the allocation of humanitarian aid. With few exceptions, humanitarian aid to ongoing civil wars appears to be positively associated with rising indicators of humanitarian need. Generally, the

analysis showed the disbursement of aid to be unrelated to the strategic interests of the largest donors.

Narang's analysis also showed that there are generally very few differences between the determinants of bilateral aid by DAC donors and multilateral aid by international organisations (IOs) and NGOs. Nevertheless, some important differences emerge.

Firstly, the number of conflict-related deaths was positively associated with the level of humanitarian aid from multilateral donors but not from bilateral donors. This means multilateral donors have provided more aid where there were more conflict related deaths. It may suggest that multilateral agencies are slightly more 'humanitarian' in as much as they provide more aid when there are more victims.

Secondly, multilateral humanitarian aid giving was positively correlated with whether a country is a former colony of the P5. In other words, former P5 colonies received more multilateral aid. This was not a significant predictor of bilateral aid giving.

Finally, DAC donors tended to provide more humanitarian aid to formally democratic recipients. This variable showed no correlation with multilateral aid provisions.

But Narang's results suggest that neither bilateral nor multilateral aid appears to be significantly determined by strategic factors.

Research findings for post-conflict countries

For post-conflict countries, Narang's results do provide some support for the claim that humanitarian aid provision was strategic in such countries during the Cold War.

For instance, a country's status as an oil exporter or democracy was positively correlated with the level of aid it received. This means countries that are democratic and/or oil exporters received more aid post-conflict.

Narang's findings also suggest important differences between bilateral aid from DAC donors and multilateral aid from IOs and NGOs. Firstly, multilateral donors and NGOs appeared much more responsive to the number of conflict-related deaths than DAC donors. Secondly, DAC donors tended to provide humanitarian aid to more democratic post-conflict recipients. This factor showed no correlation with multilateral aid.

Together, these results may suggest that aid from multilateral agencies is slightly more humanitarian. An interesting exception is that multilateral humanitarian aid giving appears to be more likely if a country is a former colony of the P5. This is not a significant predictor of bilateral giving from DAC donors.

When is humanitarian action more strategic than humanitarian?

Consistent with humanitarian principles, the statistical analysis found that humanitarian aid allocated to ongoing civil wars is substantially more humanitarian than strategic.

However, in post-conflict countries, there is some evidence that humanitarian assistance is a special case of foreign aid giving. Despite a principled commitment to assist people in need equally, strategic, supply-side factors (i.e. political-strategic interests) appear to be just as important – and arguably more important – in explaining the allocation of humanitarian aid in these countries as demand-side factors measuring need in recipients.

Once civil wars end, high levels of aid appear to go to countries where donors perceive important strategic and political interests, even after controlling for the level of need. This finding supports the common assumption among aid practitioners that conflict-affected states tend to be gradually ‘forgotten’ over time, in favour of countries that are strategically more-important – despite very high needs in these countries.

The analysis also found some evidence that determinants of humanitarian aid giving vary according to donors. Bilateral aid from DAC donors to post-conflict states appears to be more strategic than non-earmarked aid disbursed through IOs and NGOs.

Endnotes

¹ This article is a summary written by Martin Quack of the results of Neil Narang’s research, published in 2016, which includes more results, literature and statistical data: Narang, Neil. (2016). *Forgotten Conflicts: Need versus Political Priority in the Allocation of Humanitarian Aid across Conflict Areas*. *International Interactions*, 42(2), pp. 189-216. DOI: 10.1080/03050629.2016.1080697.: <http://dx.doi.org/10.1080/03050629.2016.1080697> [06.03.2018].

² Gourevitch, Philip. (October 11, 2010). *Alms Dealers: Can You Provide Humanitarian Aid Without Facilitating Conflicts?* New York: The New Yorker Magazine.

³ Narang, Neil and Stanton, Jessica. (2017). *A Strategic Logic of Attacking Aid Workers: Evidence from Violence in Afghanistan 2007– 2012*. *International Studies Quarterly*, 61, pp. 38-51.

⁴ Vaux, Tony. (2006). *Humanitarian Trends and Dilemmas*. *Development in Practice*, 16(3-4), pp. 240-254.

⁵ OECD. (2010, November 12). *DAC Statistical Reporting Directives*, OECD Doc. DCD/DAC (2010)40/REV1, para. 184.

⁶ Darcy, James and Hofmann, Charles-Antoine. (2003). *According to Need? Needs Assessment and Decision-Making in the Humanitarian Sector*. HPG Report 15. London: Humanitarian Policy Group, p. 51.

⁷ *Ibid.*, p. 11

⁸ From Fearon, James D. and Laitin, David D. (2003). *Ethnicity, Insurgency, and Civil War*. *American Political Science Review*, 97(1), pp. 75-90.

⁹ From Gilligan, Michael and Stedman, John. (2003). Where Do the Peacekeepers Go? *International Studies Review*, 5(4), pp. 37-54.

¹⁰ From Fortna, Virginia Page. (2004). Does Peacekeeping Keep Peace? *International Intervention and the Duration of Peace after Civil War*. *International Studies Quarterly*, 48, pp. 269-292.

¹¹ From Gartzke, Erik and Dong-Joon, Jo. (2006). *The Affinity of Nations Index, 1946–2002*. New York: Columbia University.

¹² Originally from Doyle, Michael W. and Sambanis, Nicholas. (2000). International Peacebuilding: A Theoretical and Quantitative Analysis. *American Political Science Review*, 94(4), pp. 779-801. Updated through 2004 by Fortna, Virginia Page. (2004). Does Peacekeeping Keep Peace? *International Intervention and the Duration of Peace after Civil War*. *International Studies Quarterly*, 48, pp. 269-292.

¹³ From Doyle and Sambanis Inc., filled in for new cases from the World Bank Development Indicators (<https://data.worldbank.org/data-catalog/world-development-indicators>) [06.03.2018].

¹⁴ From Doyle and Sambanis Inc. and filled through 2004 using WDI.

¹⁵ From Doyle and Sambanis Inc. and updated up until 2004 in Fortna (2004).

¹⁶ From Doyle and Sambanis Inc.

¹⁷ Post-conflict is from Doyle and Sambanis Inc. (2000), in-conflict is from Salehyan, Idean and Gleditsch, Kristian Skrede. (2006). Refugees and the Spread of Civil War. *International Organization*, 60(2), pp. 335-366.

3.2. Impartiality and the forgotten crises in Yemen and Myanmar

Sabrina Khan

The international humanitarian community is committed to the principles of impartiality, neutrality and independence – yet there are many reasons why crises are ‘forgotten’. The humanitarian crises in Yemen and in Myanmar, for instance, are among the most severe in the world, but people in both countries do not receive nearly enough aid. Islamic Relief is active in both Yemen and Myanmar. It assists large numbers of people, but like many other NGOs, it faces great challenges in both countries. Forgotten crises must not be left to NGOs alone. The entire humanitarian community must raise awareness of such crises and improve funding mechanisms.

The international humanitarian community is committed to adhering to the humanitarian principles of impartiality, neutrality and independence. Of these principles, impartiality may be the one that most clearly expresses what humanitarian aid is supposed to be: It should be provided on the basis of need, and it should not discriminate. This means, people who need help have a fundamental human right to receive this help, regardless of their ethnicity or their political, national or religious affiliations. There are no ‘good’ or ‘bad’ victims in situations of distress and emergency, there are only human beings. Impartiality therefore expresses the core value of humanity.

Why are some crises forgotten?

Why, then, are some crises ‘forgotten’? Why do they receive much less aid than other crises? How can the international community ‘forget’ to deliver humanitarian assistance to people following natural or man-made disasters? And why is it that poor and marginalised groups generally receive the least aid? One explanation is that humanitarian crises which attract a great deal of media attention are more likely to receive (public and private) funding than more forgotten crises.¹ And while some disasters dominate the news (the 2004 tsunami in South East Asia or the one in 2011 in Japan, for instance), many others receive very little attention (such as the conflict in the Central African Republic). It seems that neither public nor private donors seem able to avoid what is known in the humanitarian sector as the ‘CNN effect’: When the media provides continuous coverage of a natural disaster or conflict, a crisis is put into public focus and many people, as well as public donors, are more likely to provide funds. But when the media attention shifts to other issues or countries, public interest declines and the funding for aid programmes decreases. But humanitarian crises have long-term effects and the affected populations need support beyond the immediate disaster period – for rehabilitation, protection and preparedness for the future.

It is also often suggested that aid levels are determined less by need than by political interest. Neil Narang has researched this perspective (see pages 26-33), and suggests

that individual historical, political or economic relations between donor governments and receiving countries impact on the level of aid.² Governments sometimes use humanitarian aid when they are unwilling to take political action in specific crises. This is one way in which humanitarian aid is instrumentalised.

It is claimed that private donors are also biased in this way: They may be more willing to support disaster victims in neighbouring countries than in those which are further away.³ Psychologically, it might be easier to 'forget' people who are more remote and so ignore the principle of humanity⁴ in such cases. The recent arrival of large numbers of refugees in Europe, for instance, has brought some humanitarian crises much 'closer to home'. As a result, efforts have been taken to fund programmes aimed at keeping refugees away or to confine them to transit countries like Turkey, Jordan or Iraq.⁵ In such cases, political interests seem to matter more than people's needs.

The lack of humanitarian access⁶ is another reason why some people who need aid the most do not receive it. Access can be restricted by governments, or limited due to high insecurity or because of major logistical obstacles. The situation in Myanmar is one example of this: Violence broke out in northern Rakhine in August 2017, leading to huge numbers of people fleeing into neighbouring Bangladesh. Many humanitarian organisations were willing to intervene, but they were not given access. Such restrictions on access for aid agencies, the media and independent observers continue to this day and they are preventing needs assessments and the delivery of aid.

The complexity of conflicts can also result in some crises being underfunded, when conflict parties are linked to – are assumed to be linked to – terrorists groups. Donors are hesitant to provide funds in such cases, fearing misuse: This was observed when The German Relief Coalition (ADH) launched appeals for Syria. In 2012 the situation in the country was already catastrophic, but the appeal that year secured less than half the donations raised by the 2015 Nepal earthquake appeal. The Islamic State in Iraq and Syria (ISIS) was among the conflict parties at the time and starting to gain power inside Syria. Similarly, it was difficult to raise funds when a 50-day war killed around 2,250 people in Gaza in 2014. The donations at the time barely exceeded 250,000 Euros. Hamas was one of the conflict parties in this case.

Another reason why crises are forgotten crises: natural disasters, conflicts, forced or not prioritised is that needs are gen- displacement etc. Raising sufficient funds erally increasing and crises are becoming to address all these needs is therefore a more complex. Most countries in need huge challenge. of assistance are affected by multiple

Recent initiatives to address forgotten crises

Despite all this, there is generally more awareness of forgotten humanitarian crises nowadays. The European Union's Humanitarian Aid and Civil Protection Department (ECHO) has contributed to this by issuing an annual Forgotten Crisis Assessment (FCA).⁷ This identifies the most neglected crises worldwide. And parts of the annual disbursements from the United Nations Central Emergency Response Fund⁸ (CERF) are also used to fund humanitarian relief interventions in forgotten crises.

The initiatives of the German Federal Foreign Office (GFFO) and of German humanitarian NGOs (networked in the Coordination Committee for Humanitarian Aid) are also worth mentioning. Both have been advocating more attention for forgotten crises for years. In 2016, GFFO and various German NGOs launched a campaign⁹ to raise awareness of forgotten humanitarian crises. As part of this, they launched the “#nichtvergessen”¹⁰ initiative (loosely translated as: “those who do not forget”) on social media. Such initiatives set new standards in putting forgotten crises centre stage. They contribute to the overall goal of responding to crises in a more equitable, timely and effective way, and so help improve and strengthen the humanitarian aid system.

Islamic Relief and its work in forgotten or neglected crises

Adhering to the principle of impartiality, Islamic Relief (IR) seeks to bring forgotten crises into focus. The organisation is active in Somalia, Yemen, Myanmar, Pakistan, Sudan, South Sudan, Chad and Mali, for instance – all countries where crises receive little overall attention even though many have dragged on for years. IR has been active in some of these countries for decades. In the following sections, we will provide insights into IR's interventions in Yemen and Myanmar.

The forgotten crisis in Yemen

The current crisis in Yemen is one of the worst in the world. Due to conflicts between groups in the southern and northern parts of the country, Yemen has suffered from years of instability. This has led to poor governance, under-development and widespread poverty. The conflict escalated dramatically in March 2015, but even before then, almost half of all Yemenis were living below the poverty line, two-thirds of all youths were unemployed, and basic services were on the edge of collapse. Almost 15 million people were in need of some form of humanitarian assistance.

Since then, the situation has grown increasingly worse: The intervention of Saudi Arabia and its coalition has dramatically escalated the armed conflict between various rebel groups and the Yemeni armed forces. A chronic water shortage throughout the country has had dramatic impact on hygiene and agriculture. Up until now the conflict has claimed 8,757¹¹ lives. More than 50,000 people have been injured, and more than 3 million have been displaced from their homes. Conflict, displacement, and economic decline are pushing basic services to breaking point. As a result, millions of Yemenis are

dependent on humanitarian assistance for their survival.¹² Currently, 22.2 million people¹³ are in need of humanitarian assistance or protection, with 11.3 million in acute need. Between June and November 2017 alone, needs have risen by 15 percent.

Currently, 22.2 million people in Yemen are in need of humanitarian assistance or protection.

Islamic Relief in Yemen: Projects and challenges

Islamic Relief has been active in Yemen since 1998. Since its inception, the organisation has been assisting people in need in the country in three major programmatic areas: relief and emergency response, development, and orphan and child welfare. The country head office is in the capital Sana'a, and there are eight branch offices in Dhamar, Amran, Aden, Taiz, Hodeida, Saada, Maarib and Rymah. IR is responding to disasters and emergencies, and linking its activities in this sector to sustainable economic and social development programmes. We are mobilizing resources, building partnerships with local actors, and developing local capacity to enable communities to mitigate the effect of disasters.

The needs of children, especially internally displaced children, are being addressed through the orphans' sponsorship programme and several other projects. IR is also a key player in the nutrition sector in the country, in response to high levels of malnutrition across the country. As part of our development programmes, we rehabilitate rural roads, build water wells, restore water sources, run agricultural projects, rehabilitate health centres, offer psychosocial support for children and adults and provide vocational training for young people.

Because IR was already active in the country, we were able to launch an emergency response within 72 hours when the violence flared up in March 2015. To help respond to the crisis, Islamic Relief Yemen launched an appeal to institutional donors as well as to the Islamic Relief Network across Europe, America, Asia, South Africa and Australia. Since then, we have provided emergency lifesaving humanitarian assistance to more than 3.2 million people in 15 governorates in the country. These interventions have included water supply, sanitation and hygiene, health, nutrition, food security, and education. A focus on child protection and gender-based violence was included across all sectors.

Despite successfully implementing these projects, IR is facing important challenges in Yemen, and aid for the people there needs to increase significantly. Gaining access to different geographical areas is dependent on the permission of the authorities in control of those areas. In seeking this permission, IR and other INGOs are confronted with authorities trying to influence the delivery of aid, imposing prepared lists of beneficiaries, aligning budgets to their priorities or suggesting local partners. Relief organisations, among them IR, which resisted these demands, were denied visas to

enter the country or permission to travel within it. In extreme cases, operations were suspended or closed down. Sometimes offices were closed down temporarily.

Given such obstacles, it becomes an even bigger challenge to reach the people who need assistance the most. Some groups are neglected by aid organisations: These include patients suffering from chronic conditions such as diabetes or cardiac disease and those in need of regular dialysis. Especially vulnerable groups in remote and inaccessible areas, such as pregnant and lactating women, malnourished children, elderly people and those with disabilities do not receive enough assistance either.

The restrictions imposed by the authorities also result in higher costs for the implementing organisations. This is because they have to reorganise and adjust their strategies and plans to find ways to reach people in urgent need – as set out in the humanitarian principles.

But despite the challenges and difficulties and the very unstable security situation, Islamic Relief teams have been assisting vulnerable people in Yemen for 20 years now. By maintaining neutrality, impartiality and transparency, IR has the advantage of being trusted and accepted by the majority parties. Consequently, we have been able to access all communities, including the most vulnerable population groups in the majority of all governorates in the country.

The humanitarian crisis in Myanmar

The population of Myanmar is ethnically include Bamar/Burmans (60-70%), Shan very diverse, with more than 130 recog- (10%), Kayin (7%), Rakhine (4%), Chinese nised ethnic groups in the country. These (3%), Mon (2%), Indians (2%) as well as many others including Rohingyas, Kachin and Chin. Burmans are concentrated in the lowlands of Central Myanmar, while other ethnic groups predominate in the mountainous border areas. About 87% of the population are Buddhists, 4-5% are Muslims (Rohingyas), and 6-7% are Christians.

The dominance of the largest ethnic group, the Burman or Bamar people, over the country's many minorities has led to long-running political unrest. As a result, the people of Myanmar have experienced some of the longest running civil wars in the world. The country is also among the poorest and least developed in the world. An estimated 25.6 percent of the 53.8 million people in the country live below the national poverty line.¹⁴ Decades of insecurity have left some parts of the country severely underdeveloped, with entire communities unable to access basic services such as healthcare and education. On the United Nations Development Programme's 2015 Human Development Index, Myanmar ranks 148th out of 187 countries.¹⁵ The World Health Organization has ranked Myanmar's health system 190 out of 191 in the world.¹⁶

Backed by a wave of international support and widespread optimism, a new government took office in Myanmar in March 2016, promising a process of political and economic

reforms. At the end of 2016, however, the violence in Northern Rakhine intensified. Since then the situation has escalated, with violence flaring up again in August 2017: Hundreds of villages have been razed to the ground, most of them inhabited by people of the Rohingya minority. As a result, hundreds of thousands of people were displaced. Since August 2017 alone, 607,000 Rohingyas have fled to Bangladesh and nearly one million refugees have fled to the border area between Myanmar and Bangladesh.

The humanitarian crisis has continued into 2018. It is a complex combination of armed conflict, inter-communal tensions, displacement, statelessness,¹⁷ forced migration, vulnerability to natural disasters and food insecurity. An estimated 863,000¹⁸ people in the country are in need of humanitarian assistance. Among them are 166,000 people affected by conflict in Kachin and Shan States. Due to the ongoing violence, the constant risk of landmines, and a failure to reach any kind of peace agreement, there has been little success in finding long-term solutions for displaced people.

Those in need of humanitarian aid also include 691,000 people in Rakhine State (most of them Muslims) who face inter-communal violence, constraints on freedom of movement, denial of official documentation and other restrictive policies and practices. Such restrictions limit people's access to basic services and work in the state, leading to high levels of dependency on humanitarian aid.

Since August 2017 alone, 607,000 Rohingyas have fled to Bangladesh and nearly one million refugees have fled to the border area between Myanmar and Bangladesh.

Islamic Relief in Myanmar: Projects and challenges

Islamic Relief started working in Myanmar in 2008, when we provided relief and recovery support following Cyclone Nargis. In 2012, we provided support to approximately 100,000 people (both Buddhists and Muslims) in Rakhine State in response to inter-communal conflicts – one of the forgotten crises in Myanmar. Since 2014, IR has resumed operations in Myanmar, supporting at least 18 projects through a local partner. Activities included providing emergency relief and recovery in Rakhine, Kayin and Ayeyarwady states. A coordination office was opened in Yangon in December 2015. IR's strategic focus in the country is on building local capacity.

The continued access restrictions for humanitarian aid agencies, the media and independent observers in Myanmar have prevented needs assessment among the conflict-affected communities, especially in Northern Rakhine State (NRS). It is not possible for aid agencies to assess the return conditions for displaced people, for instance, or the long-term viability of their return. Without knowledge of the true extent of the humanitarian crisis in the conflict areas in Rakhine, Kayin, Kachin or Chin, the most pressing needs cannot be identified and appropriate responses and long term solutions cannot be designed. It is not only access to these areas that is restricted; there is also a

shortage of information from baseline surveys and development indexes from government agencies.

However, despite the political circumstances IR has been accepted by local partners, communities and government agencies, and we are therefore able to continue with our programmes in Rakhine, Kayin and Ayeyarwady states.

The humanitarian system needs more awareness of forgotten crises and better funding mechanisms

The example of IR's work in Yemen and Myanmar has highlighted a few of the challenges humanitarian NGOs face when working in some of the world's most severe but neglected humanitarian crises. In both countries, humanitarian needs are immense, but it is difficult to provide impartial help to adequately address those needs. Islamic Relief is running projects that are essential to the survival of large numbers of people in Yemen and Myanmar – yet more humanitarian aid is urgently needed in both countries.

But forgotten crises should not just be left to NGOs. It is the duty and responsibility of states and the whole international humanitarian community to give adequate attention to these crises. A key aspect of this is raising awareness of these crises. In addition, financing mechanisms must become more flexible if humanitarian assistance is to be more effective. We must ensure humanitarian organisations can respond to crises at the right time, and that funds are distributed equally and according to needs. For this to happen, both donors and humanitarian organisations must increase their transparency and provide better data.

Endnotes

¹ See Olsen, Gorm Rye, Carstensen, Nils, and Høyen, Kristian. (2003). Humanitarian Crises: What Determines the Level of Emergency Assistance? Media Coverage, Donor Interests and the Aid Business. *Disasters* 27(2), pp. 109-126, p. 110.

² See also Darcy, James and Hofmann, Charles-Antoine. (2003). According to Need? Needs Assessment and Decision-Making in the Humanitarian Sector. HPG Report 15. London: Humanitarian Policy Group.

³ See Fink, Guenther and Redaelli, Silvia. (2011). Determinants of International Emergency Aid – Humanitarian Need Only?. *World Development*, 39(5), pp. 741–757; and Moke, Markus and Rütger, Maria. (2013). Humanitäre Hilfe und Medien. In: Jürgen Lieser and Dennis Dijkzeul (eds.), *Handbuch Humanitäre Hilfe*. Berlin/Heidelberg: Springer, pp. 171-182.

⁴ This says that “human suffering must be addressed wherever it is found”, see www.unocha.org/sites/unocha/files/OOM-humanitarianprinciples_eng_28Feb2017_0.pdf [06.03.2018].

- ⁵ Cf. cash for work programmes by the German Ministry for Development Cooperation, www.bmz.de/de/presse/aktuelleMeldungen/2016/juli/160713_Mueller-Stabilitaet-in-den-Krisenregionen-durch-mehr-Bildung-Ausbildung-und-Beschaeftigung/index.jsp [06.03.2018].
- ⁶ Compare Steets and Haver, pp. 28-33, and Schenkenberg van Mierop, pp. 62-71, in this publication.
- ⁷ Criteria such as vulnerability, level of media coverage, and level of donor support are taken into account.
- ⁸ See <https://cerf.un.org/> [06.03.2018].
- ⁹ See “Vergessene Humanitäre Krisen”, www.auswaertiges-amt.de/de/newsroom/160121-vergessene-humanitaere-krisen/277826 [06.03.2018]; www.auswaertiges-amt.de/blob/254398/6578cb33f353b89888c1ae43a08265e3/strategie-vergessene-krisen-data.pdf [06.03.2018].
- ¹⁰ See www.nichtvergesser.de/en/who-we-are [06.03.2018].
- ¹¹ Yemen Humanitarian Response Plan 2018.
- ¹² 17.8 million are food insecure, 16 million lack access to safe water and sanitation, and 16.4 million lack access to adequate healthcare. Cf. Yemen Humanitarian Response Plan 2018.
- ¹³ Ibid.
- ¹⁴ Human Development Report 2016.
- ¹⁵ Human Development Index 2015.
- ¹⁶ World Health Organization: The World Health Report 2000.
- ¹⁷ Muslims in Rakhine constitute the single biggest stateless community in the world.
- ¹⁸ Interim Humanitarian Response Plan Myanmar 2018.

3.3. Casestudy: Diakonie Katastrophenhilfe in the Democratic Republic of the Congo

Birgit Lembke and Eva Hinz

Diakonie Katastrophenhilfe in the DR Congo

- *Active in the country for over 15 years, with a national office in Goma since 2010*
- *Relief programmes with local partner organisations, mainly in Kivu and Ituri Provinces*
- *Relief provision in Kasai-Central since 2017, with two partners, in the areas of food security, relief goods, shelter and housing, and protection*
- *4.5 million internally displaced people in the country: the largest movement of people worldwide*

In October 2017, the United Nations raised the status of the humanitarian crisis in the Democratic Republic of the Congo (DRC) to a Level 3 Emergency – as in Syria and Yemen. Vast numbers of people are suffering from hunger, displacement and conflict in the largest country in Africa, hidden from the eyes of the world. There are 4.5 million internally displaced people – more than in any other African country. Yet this crisis has effectively been forgotten.

Diakonie Katastrophenhilfe has been working in partnership with various organisations in the region for more than 15 years, primarily in Kivu province in recent years. This remote region has suffered almost 20 years of unbroken violent conflict involving diverse rebel groups and the national army. In the course of these hostilities, horrific attacks have been carried out on civilians by all the conflicting parties.

Humanitarian assistance in DRC is especially challenging due to the complex struggles for power and resources and also the diverse political, ethnic and geo- strategic interests on the local, regional and national levels. Conflicts often spill over into neighbouring countries and are historically rooted in the colonial period. At the same time, battle lines can rapidly shift on the ground. It is a very difficult task to respect the principle of impartiality in such a context, to apply conflict sensitivity and to select beneficiaries purely on the basis of their humanitarian needs.

In the case of localised violent conflicts, such as in Kasai Province, it is almost impossible to distinguish between perpetrators and victims. In accordance with the Do No Harm approach, we carry out a conflict analysis in such cases and attempt to avoid negative repercussions. This involves stating our principles very clearly to the conflicting parties: during the initial on-site needs analysis, in preparatory meetings with communities and during project activities. We do not take sides and we take action solely based on the needs of the people. Our priority is to help the most vulnerable regardless of their nationality, ethnic origin, or religion. The Kasai region was formerly peaceful, but in

2016, violent conflict broke out. It rapidly escalated, fuelled by the tense political situation in the country, public frustration about the constantly delayed elections, and the lack of government recognition for local, traditional power structures. Both the government and international actors have had an influence on the humanitarian crisis, but there is a lack of political will to effectively tackle the causes.

More than one million people were displaced in Kasai during the first six months of 2017. The region lies in the country's interior, about 1,500 km from the Diakonie Katastrophenhilfe project office in Goma. In spite of the logistical and coordination challenges, we were determined to respond to the immense humanitarian needs of the people. Beginning in summer 2017, we teamed up with partner organisations from North Kivu to provide emergency relief in Kasai-Central in the form of food security, shelter, relief goods and protection measures. Diakonie Katastrophenhilfe was one of the first international NGOs in the area, since one of our local partners already had an office in the region. But it was not a simple matter of transferring our experience in the Kivu provinces to Kasai. There was a huge geographical distance, as well as linguistic and cultural barriers to overcome. There was also a considerable risk of getting caught up between the armed factions or causing the conflict to escalate. The situation required flexibility, good communication lines and consensus within and among the affected communities. Our partner-based approach made things significantly easier: The staff of our Congolese partner organisation had established contact with important local actors through their office in Kasai; they could speak the local language, and were able to help us gain access to the region and the target group.

This consisted of two large village communities which had been embroiled in violent confrontations. These two communities were both victims and perpetrators at the same time. We provided relief to both communities according to the principle of impartiality. We made a conscious decision not to refer to victims and perpetrators or to give prominence to the conflicting parties as such, but rather to focus on the needs of the people. In addition to direct emergency relief in the form of food vouchers and seeds, for instance, we introduced conflict prevention as an important element. This is because past conflicts do not disappear simply by providing urgently needed relief – even though they might die down or become less visible.

Due to a lack of neutral places to meet, one of our partners came up with the idea of establishing “peace huts” in which representatives of the various communities could meet and discuss on neutral ground. The idea was to promote dialogue between the conflicting parties and to create a space for meeting and debate. Although it is not possible to carry out intensive reconciliation work within the context of humanitarian relief, we must nonetheless strive to preserve the positive effects of our work

4. Does localisation make humanitarian action more impartial?

4.1. Local humanitarian actors and the principle of impartiality

Ed Schenkenberg van Mierop

To provide more effective help, local and international organisations must work together to implement the humanitarian principles. The projected funding increases for local actors as part of the Grand Bargain might be an opportunity: Those in greatest need may finally receive the help they urgently require. But who are 'local actors'? And do these actors face greater challenges than their international counterparts when it comes to providing impartial assistance? And if so, what can be done in response?

Asked if the May 2016 Istanbul World Humanitarian Summit (WHS) has produced any tangible outcomes, many in the humanitarian community would refer to the step of recognising the indispensable role local actors play in humanitarian response. They would point to the target that 25% of global humanitarian funding

be allocated to local actors by 2020. This target was agreed by a range of UN agencies, NGOs and major donors as part of an agreement called the 'Grand Bargain'. It implies a significant growth in financial resources that should reach local humanitarian actors "as directly as possible" in the next few years.¹

Why local actors are becoming more important

For a range of international NGOs, working through – or with – local organisations has been standard practice for many years. Many are church-affiliated NGOs which have natural counterparts in local dioceses or parishes. Working with and through these local structures is the way these organisations operate. NGOs such as Christian Aid or Catholic Agency for Overseas Development (CAFOD), the British Caritas affiliate, have been among the loudest voices pushing the localisation agenda.

These organisations advocate for changes in how the international humanitarian system operates and have encouraged many organisations to sign the Charter for Change which calls for more locally-driven humanitarianism.² The International Red Cross and Red Crescent Movement is, of course, another major stakeholder in the localisation debate, as their network of national societies helps them combine global and local action.

One reason for the increased importance of local actors is found in the changes in the humanitarian landscape. Either because of assertive host governments, or due to high levels of insecurity, or both, international organisations find it increasingly difficult to enter crisis-affected areas, now often labelled as 'hard to reach' or 'high-risk environments'. Rather than being an exception, remotely managed operations have become the standard for many organisations. In these instances, local organisations and

individuals have been contracted to deliver much-needed assistance, including in cross-border operations.

Another reason why there is more attention on local humanitarian actors is because several have become more organised and are more vocal on a global level. The Network for Empowered Aid Response (NEAR), for example, brings together a range of NGOs from the developing world and its creation coincided with the WHS.

Remotely managed operations have become the standard for many organisations.

As welcome as it may be, public recognition of the indispensable role of local actors in humanitarian response has led to several debates. This essay sets out to discuss two questions involved in these debates:

- What is a local humanitarian actor?
- And do local humanitarian actors have more challenges than their international colleagues in applying humanitarian principles, in particular the principle of impartiality?
- Who should be defined as a 'local actor'?

Who should be defined as a 'local actor'?

The likely increase in financial resources at the disposal of local humanitarian actors as part of the Grand Bargain leads us to ask who would qualify for the money. 'Local actors' is a broad term. Some, like the NEAR network, have equated the term 'local actors' with local NGOs. These are only one sub-set of local actors. While other formal documents in the sector refer to 'local capacities', the Grand Bargain refers to 'local responders'.³ This term could comprise a wide range of very different institutions and individuals, groups and communities, from government authorities at various levels to private businesses, and national NGOs to community-based networks.

In an effort to provide clarity, a working group that is part of the Inter-Agency Standing Committee, the main international body for humanitarian coordination among operational organisations, has been working on a so-called localisation marker. This working group has come up with a number of categories, including:

- National NGOs/civil society organisations (CSOs)
- Local NGOs/CSOs
- Red Cross/Red Crescent National Societies
- National governments
- Local governments
- Local and national private sector entities

These broad categories create a convenient space for a large variety of stakeholders to interpret the commitment to localise humanitarian aid according to their own interests

and agendas. All of this is to say that the global debate on defining who is local and who is not has arrived at a dead-end. It would be much more relevant to define locally (for example, at a national level) which local actors deserve further financial support.

A debate has emerged at the international level since the Grand Bargain agreement, focusing on identifying what characterises actors as local or international. Only those which fall within the definition of local actors would be eligible to receive a share of the committed increase in financial resources.

What looks international from the outside may be very localised in reality, with the reverse also being true. The Haitian branch of CARE, for example, has been in the country for more than five decades and is registered as a local NGO. In Iraq during recent research, UN and international NGOs referred this author to two organisations that they described as 'local', which were actually either run by expatriates or by people (born and/or) raised in Western Europe. At the same time, an Islamic NGO registered in the UK, and therefore referred to as an international NGO, was run entirely by Iraqis and has been in the country since 1991.⁴

Debate, therefore, should focus much more on the reality on the ground. At the moment, it is largely conceptual in nature and is producing unproductive northsouth tensions. The 25% target set by the Grand Bargain may do more harm than good.

Focusing on who is humanitarian

Further debate could be "Who is humanitarian and who is not?". The defining characteristics are found in the four core principles of humanitarian action. Without considering these principles of humanity, impartiality, neutrality, and independence, it would be difficult to understand how certain activities could be qualified as humanitarian.

Humanity and impartiality in particular are principles that give humanitarian assistance meaning and purpose. Neutrality and independence are derived principles, instrumental in realising the first two. These latter two principles should therefore perhaps be seen in a different light for local actors compared to their international colleagues. Most local actors are active in other social areas as well as humanitarian aid. Inherently, neutrality, in terms of not engaging with root causes of a conflict, looks unnatural for them. Likewise, their independence has to be understood in the context of the space their respective states allow for civil society to operate in. In a growing number of countries, this space is under significant pressure.⁵

Within the humanitarian community, it is not common practice to point to NGOs and other humanitarian organisations when they do not follow the principles. If humanitarian identity is to be strengthened, more dialogue, scrutiny and reporting is needed, both among humanitarian agencies and within them. Much has been published

on the humanitarian principles, but it is only in the last few years that the body of research on their practical application has increased.

There is a stark difference between calling for principled humanitarian action and implementing it. An MSF report on localisation notes that scepticism in the humanitarian community about the application of the principles does not only concern local actors.⁶ Other recent reports point to a number of issues when it comes to delivering principled humanitarian action.⁷ They paint a rather bleak picture of the application of the principles. Several challenges in applying the principles are obstacles such as the non-observance of the rules of war by parties to the conflict or the conditions by donor governments that stipulate with whom humanitarian organisations can interact on the ground. Other problems appear to be more of an internal nature, for which the organisations themselves are responsible. They include, for example, a lack of attention to the principles in decision-making, or unfamiliarity with the principles among operational staff.⁸

Impartiality is key in defining who is humanitarian

The obvious question for local humanitarian actors in relation to humanitarian principles is whether or not they are expected to apply the same principles as their international colleagues. And if so, do they face similar challenges in applying these principles?

For all humanitarians, the principle of impartiality could be seen as the pivotal criterion. Together with the principle of humanity, it sets out the goal of humanitarian action, i.e. the preservation of every human life.⁹ The principle of humanity is beyond question, and, as stated above, neutrality and independence are derived principles. They are instrumental in realising humanity and impartiality. The principle of impartiality can guide us when prioritising humanitarian action in extreme situations.¹⁰ While the principles are not irrelevant in natural disaster humanitarian aid is commonly manipulated contexts, their relevance is obvious and instrumentalised for political purposes in situations of armed conflict where purposes.

The global debate on defining who is local and who is not has arrived at a dead-end.

What impartiality looks like on the ground

Considering the definition of impartiality,¹¹ there are two interrelated components: Aid must be allocated in proportion to need and without discrimination.¹² To start with the latter, a recent study on the principles in Iraq found that many staff of humanitarian organisations spontaneously noted the obligation not to make any distinction between beneficiaries on the grounds of ethnic or sectarian origins.¹³ In Iraq, like other war-torn countries, this is no small thing as sectarian divisions among Kurds, Shi'ites and Sunnis have been among the causes of war. Many international NGOs have expressed concerns that they could not take their Kurdish staff to Sunni-dominated areas in Iraq. If this is a

challenge for international NGOs, it is likely to be an even bigger issue for local organisations.

As a recent study describes, “local organisations are rooted in their historical, cultural, and religious constituencies and they have to report back to them in formal or informal ways”.¹⁴ Put differently, family members, relatives, friends, and others from the same area or district, will have expectations in terms of who should receive assistance and who should not. This is a particular challenge in armed conflict situations, where ethnic or religious divisions are prevalent. Local groups may be in a better position to enter areas that are off limits to international staff and organisations because of their local knowledge and networks. But this comparative advantage may be offset by their vulnerability to exploitation, manipulation, or intimidation.¹⁵

Applying the other component of the principle of impartiality, in proportion to need, is equally if not more challenging. It is a misunderstanding that a humanitarian organisation needs to deliver services on all sides of a conflict. The determining aspect of this idea of impartiality is ‘most in need’. The term can imply a single presence in an area controlled by one of the parties involved in a conflict. But in such instances other parties are likely to challenge an organisation’s neutrality. The organisation’s staff must then use their negotiation skills to illustrate how they are adhering to the principle of impartiality.

In Iraq, as in some other countries, a number of areas have been labelled as ‘hard to reach.’ This is a disturbing trend as it is precisely in these areas where humanitarian capacity should be prioritised. The needs of people are likely to be the highest and most urgent in such areas with high levels of violence and insecurity. By its design, humanitarian action is expected to be undertaken in such circumstances, not as act of bravery or heroism, but as the outcome of negotiations with the warring parties. The ‘hard to reach’ label has become a self-fulfilling prophecy. Many humanitarian organisations find it too risky to visit these areas to deliver assistance, and have instead prioritised other less volatile areas for which funding is also relatively easy to obtain. As a result, ‘most in need’ is one aspect of impartiality that has been neglected.

Much has been published on the humanitarian principles, but it is only in the last few years that the body of research on their practical application has increased.

Prioritising those most in need

This view is one that resonates with research on international humanitarian standards frameworks, in particular the 2014 Core Humanitarian Standard (CHS). The research found that while the humanitarian system supports inquiry into non-discrimination, there are gaps in the CHS in terms of verifying whether organisations target those most in need.¹⁶

‘Most in need’ also came up in a peer review initiative of the Steering Committee for Humanitarian Response (SCHR) in 2013. In Colombia, this international NGO network examined the application of the principle of impartiality by its members. It found that members applied the principle of impartiality to different degrees. Some had applied it at a national level, but most had applied it at a departmental or district level.¹⁷ In other words, for some organisations, ‘most in need’ is the prime motivation in defining priority interventions and areas in a country. But most other organisations do this after they have identified the area where they should be active.

The earlier decision to identify a certain area may be done on other grounds. For example, the presence of local organisations, previous experience in the country, or good relations with the authorities. Ironically, if an international organisation has chosen an area because of the presence of a local partner, but where needs are not the most urgent, localisation could be seen to contradict the principle of impartiality.

These findings point to the issues of scale and level. It seems appropriate to urge international organisations to use a global¹⁸ and a national level to define ‘most in need’. The ‘global level’ in relation to which countries they should work in and the ‘national level’ to determine which areas should be prioritised. For local organisations, it would seem a logical consequence to define ‘most in need’ in the region where they are based. Because of their local knowledge and links, working in another district or province may be comparable to an international NGO entering a new country.

Impartiality in partnerships

If abiding by impartiality is at least equally challenging for local organisations as for their international colleagues, another question is whether and how their joint partnerships address this challenge. A recurring issue in the context of local humanitarian actors is the strengthening of capacities. Debate usually centres on covering institutional costs as local actors often become de facto sub-contractors for an international organisation.

New investment in local capacity- strengthening should not only focus on reinforcing operational capacity, for example through technical skills training – they should also focus on the institutional capacity of local actors, including their understanding of humanitarian principles and standards. For international organisations which have pursued partnership approaches as their standard way of operating, such as the International Red Cross and Red Crescent Movement, this is not a novelty. For many others, it may be. If the long-term vision for local partners is to become stronger and more competent humanitarian actors, training and mutual learning initiatives on humanitarian principles are not an option, but a necessity.

Conditions for establishing partnerships

It is particularly relevant that training on humanitarian principles forms an integral part of capacity-strengthening efforts when organisations work in armed conflict areas. A

recent report on localisation says that “certain international actors work with local actors who, taken individually, are not neutral or impartial”.¹⁹ For the international actor that recruits such local groups, it is best to recruit as many as possible on different sides of the conflict in order for humanitarian aid to be, and to appear to be, impartial and neutral.

It could be argued that two conditions should be taken into consideration by an international organisation when they work with a local actor to pass the test of ‘principledness’. The international organisation should:

- be transparent about their approach and explain why it recruited a local actor. For example, did it have no choice but to work with this organisation?
- discuss humanitarian principles with local partners and offer training on the principles, to support them in becoming more credible humanitarian actors in the long-term.

Mutual learning is the way forward

Challenges of applying the principle of impartiality are seen for both local and international organisations. It is time to move beyond this distinction to think in terms of the complementarity of humanitarian actors based on their comparative advantages. They should share their experiences and lessons in conforming to and working with all the humanitarian principles. There is room for improvement in the context of partnerships and capacity-strengthening. Mutual learning, especially at a field level, is the way forward.

There is work to be done on a conceptual level too. The most authoritative source on humanitarian principles for NGOs, the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief, is written entirely from an international perspective. Indeed, it was an international NGO network, the SCHR, which led its drafting.

The international language of the code is reflected in principles two and four. Principle two, which covers impartiality, says that “wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs”. For local actors, this would imply a self-assessment.

It is a misunderstanding that a humanitarian organisation needs to deliver services on all sides of a conflict.

Principle four, covering independence, notes that the signatories “shall endeavour not to act as instruments of government foreign policy”. This refers to accepting donor funds in which NGOs could become part of the political objectives of the donor government. Now that some donors might be able to provide direct funding to local NGOs, this could

become a reality. For a national NGO, however, it might be more relevant to make sure that it maintains autonomy towards national authorities. If local humanitarian NGOs are expected to subscribe to the 1994 code, its language needs to be updated. The current text is not suitable for them.

All actors need to engage with the humanitarian principles

Finally, humanitarian principles, especially impartiality, are relevant in addressing difficult operational questions collectively. These questions are rarely unique to a single organisation. In fact, very often they are common challenges. This is why the principles should also drive the work of the humanitarian clusters and other coordination mechanisms. With the future increase in financial resources for local actors, it is likely that a number of donor governments will use country-specific pooled funds (which local NGOs can access directly – the so-called country-based pooled funds) to realise this commitment.

Therefore, these funding mechanisms have a particular responsibility when it comes to promoting humanitarian principles. One prerequisite is to build connections with local actors, especially NGOs. Efforts should be made to introduce local actors to the international humanitarian system. The quality and effectiveness of humanitarian action will only improve if all humanitarian actors consistently engage with the four core principles.

Endnotes

¹ The Grand Bargain. (2016). Work Stream 2: More Support and Funding Tools for Local and National Responders, Commitment (4). Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/Grand_Bargain_final_22_May_FINAL-2.pdf [06.03.2018].

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⁴ See <https://www.alnap.org/help-library/principled-humanitarian-assistance-of-echo-partners-in-iraq> [06.03.2018].

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⁸ See, for example, Norwegian Refugee Council. (2015). Engage to Stay and Deliver, Humanitarian Access in the Central African Republic, p. 12. Available at: <https://www.nrc.no/globalassets/pdf/reports/engage-to-stay-and-deliver---english.pdf> [06.03.2018].

⁹ Slim, Hugo. (2015). Humanitarian Ethics. A Guide to the Morality of Aid in War and Disaster. London: Hurst & Co., pp. 39-64.

¹⁰ Ibid., p. 56.

¹¹ “Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.” See the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). OCHA on Message (June 2012). Available at: https://docs.unocha.org/sites/dms/Documents/OOM_HumPrinciple_English.pdf [06.03.2018].

¹² For an interesting case study on how faith-based local groups apply the principle of impartiality, see Kraft, K. (2016). Faith and Impartiality in Humanitarian Response: Lessons from Lebanese Evangelical Churches Providing Food Aid. International Review of the Red Cross, 97(897/898), pp. 395-421.

¹³ See, Humanitarian Exchange and Research Centre/Norwegian Refugee Council. (2017). Principled Humanitarian Assistance of ECHO Partners in Iraq. Available at: http://here-geneva.org/wp-content/uploads/2016/10/hereiaq_final6.pdf [06.03.2018].

¹⁴ See Trócaire/Groupe Urgence Réhabilitation Développement. (June 2017). More than the Money, Localisation in Practice.

¹⁵ It should be noted that the latter may equally apply to international NGOs which are entirely led and managed by national/local staff.

¹⁶ Humanitarian Quality Assurance Initiative (HQAI) Learning Event. (13 June 2017). (Draft) Summary Report, Are We Measuring the Right Thing.

¹⁷ See Steering Committee for Humanitarian Response Impartiality Review: Report of Findings. (January 2014). Available at: <https://static1.squarespace.com/static/57ffc65ed482e9b6838607bc/t/58764c49ff7c505839a2db54/1484147787634/SCHR+Impartiality+Review+findings+Jan+14+ENG.pdf> [06.03.2018].

¹⁸ See the articles on forgotten crises on pages 40-47 (Martin Quack) and 48-55 (Sabrina Khan) of this volume.

¹⁹ See Trócaire/Groupe Urgence Réhabilitation Développement lc

4.2. On the importance of community engagement for principled humanitarian action

Inez Kipfer-Didavi, with contributions from Liliane Bitong

“You think you are the solution, but the solution comes from the community”¹

Local actors can implement the humanitarian principles, but in certain contexts this poses challenges for them. In order to meet these challenges, local actors need greater institutional and financial power. This should be based on a broad localisation approach that actively involves and strengthens people affected by crises and their informal networks and official institutions, and also strengthens their ability to apply the humanitarian principles.

The humanitarian principles – international norms with local roots

In 1991, the UN General Assembly defined the “humanitarian principles” as humanity, neutrality and impartiality.² This was expanded to include the principle of independence by the International Committee of the Red Cross (ICRC) in its 1994 Code of Conduct.³ It is interesting to note that the Red Cross had already formulated additional principles back then, among them respect for the local culture, the use of local capacities, participation, accountability towards donors and affected people, and also respecting human dignity in humanitarian communications. These additional principles, which will also be addressed here, have gained far less international acceptance and therefore had to be reinforced by new initiatives – for example by means of the SPHERE Standards, the Core Humanitarian Standard and the World Humanitarian Summit (WHS).

Humanity, which is defined in the humanitarian principles is also a central pillar of the 1948 Universal Declaration of Human Rights, as is human dignity. Moreover, humanity and human dignity were central ideas in the freedom, liberalisation and democratisation movements of western Enlightenment. The notion of humanitarianism can also be found in all world religions, from Christianity and Islam to Hinduism, Confucianism and Judaism.⁴ It is reflected in many philosophical world views⁵ and in numerous local cultural concepts and forms of expression.⁶

“Help me during the floods, I will help you during the drought”:⁷ Who are ‘local humanitarian actors’?

There is no standard definition for ‘local humanitarian actors’, a fact which makes analysis and discussion more complicated. Relatives, neighbours, friends, local networks and relief organisations, local religious or political institutions and local government agencies are usually the first to provide assistance in the event of a humanitarian crisis – long before international organisations (NGOs or the UN) arrive on the scene and before donors release the necessary funds. This has been demonstrated after natural

disasters such as the earthquake in Nepal in 2015, or Typhoon Haiyan, which struck the Philippines in 2013, and after violent conflicts such as the 2014 crisis in Ukraine.

In many crises it is local actors who take in the largest number of internally displaced people (and to some extent refugees as well⁸) and provide them with emergency care, be it in Jordan, Lebanon, Pakistan,⁹ Iraq,¹⁰ Sudan¹¹ or in the DR Congo and Uganda.¹²

There are frequently delays before foreign relief organisations arrive on the ground, and they often only remain in an area temporarily – for as long as their funding allows and they can ensure the safety of their staff. Local actors, however, do not leave the area where they are giving help, except if they are forced to flee themselves. They are the ones who have to deal with the long-term consequences of a crisis, whether they want to or not. Furthermore, they are often the only protagonists in a conflict region with access to the affected people - and thus the only ones who can meet the humanitarian imperative at all (principle of humanity).¹³ We can currently see this in Yemen, parts of Somalia, Darfur, the Central African Republic, South Sudan, northern Nigeria, Syria, Myanmar, Ukraine and increasingly in Pakistan and Nepal. For this reason, international organisations are increasingly cooperating with local actors, especially with local NGOs and above all in such dangerous contexts.

Is it harder for local actors to uphold the humanitarian principles than for international actors?

Most people affected by crises are neither aware of international humanitarian law nor of the humanitarian principles as such. For many people around the world it is normal that the initial relief efforts benefit ‘their people’, such as neighbours, and only benefit ‘the others’, or their adversaries, to a limited extent. Often, the issues of impartiality and neutrality first become contentious when substantial relief resources – in terms of value or duration – are at stake in larger-scale conflicts and those providing assistance have to select which beneficiaries to help. This applies equally to local actors and international relief organisations.

Local organisations generally have a much better understanding of local conflicts and the relevant local actors than outsiders.¹⁴ This means that they are better able to judge what impartial and neutral help means in concrete terms. In addition, local actors usually strive to avoid getting caught ‘between the fronts’ and to remain non-political and neutral in their actions (principle of neutrality). However, being a service provider of basic provisions in a conflict region is one way of gaining public legitimacy. For this reason, conflicting parties often view such services as a threat to their power, and thus obstruct them (sometimes violently) – or, conversely, they support them and exploit them to consolidate their own power.¹⁵ This explains how humanitarian relief can rapidly become polarised in a conflict.

There are situations, such as in Myanmar or northern Nigeria at present, in which the affected society is so deeply divided that the conflicting parties cannot tolerate local organisations assisting people on both sides of the conflict. Local relief workers who find themselves on the ‘wrong side’ risk their lives in such cases. External organisations such as the ICRC are then required to provide neutral assistance and to avoid exacerbating the conflict. As Schenkenberg has noted, impartiality may be achieved in such a tense situation – at least on a higher level – when external organisations work together with non-impartial actors on both (or various) sides to ensure that those in need are given help. This may in any case be necessary for security reasons at certain times.¹⁶ Schenkenberg is therefore correct in his assertion that local NGOs are, per se, no better at upholding the humanitarian principles than international NGOs. However, the reverse is also true.

International relief organisations can only gain acceptance among all conflicting parties and the local population if they are able to credibly demonstrate that their help is neutral and impartial. Parties to the conflict watch closely to see whether relief is neutral or if it is caught up along ethnic, religious or political conflict lines; whether it is needs-based or provided according to social categories (such as ethnicity, age, gender, social class, religion etc.); whether individuals are discriminated against and whether their human dignity is respected in the process of providing and receiving assistance.¹⁷ For example, it has been reported from northern Nigeria¹⁸ that an international NGO specialising in healthcare has been criticised by the local population for showing bias and lacking neutrality, as it mainly treats people associated with Boko Haram – presumably because they are not given treatment by any other service provider. Local people similarly have little understanding for re-integration programmes for ex-combatants, since these are perceived as a kind of ‘reward for the murderers’. Although such programmes are not strictly part of ‘humanitarian relief’, this makes no difference to the local population.

These examples show that *while factual impartiality is important, how it is perceived also plays a role*. This is why it is so important to explain the humanitarian principles to affected people, conflict parties and other local actors and, crucially, to discuss with them how these principles can be implemented.

The call for humanitarian principles within the international political discourse concerning compliance with international law has considerable significance and urgency. Unfortunately, up to now many international NGOs have merely proclaimed their adherence to the humanitarian principles to public and private donors – yet they have failed to train their national and international staff in the implementation of the principles as an important orientation tool in daily humanitarian work. At the same time, they rarely allow themselves to be drawn into difficult discussions about local dilemmas with the affected people in order to find collaborative solutions.

The localisation debate at the 2016 World Humanitarian Summit in Istanbul

The starting point for the WHS was the declaration that the current humanitarian system and its limited financial resources, which are heavily bound up with the United Nations and with international NGOs, can no longer meet the constantly growing global need for humanitarian relief. Therefore, in Istanbul there were calls from many sides to strengthen the role of governments as well as local and national civil society organisations as first responders in crises and conflicts. These protagonists need to be empowered to take effective preventive action against conflicts and natural disasters in their own countries; to deal with humanitarian crises without outside help, and to rebuild social and economic infrastructure quickly in order to maintain long-term social stability and encourage development.

This was accompanied by the appeal to shift the focus of humanitarian relief and crisis prevention to the affected people themselves and to recognise their right to a life of dignity, security and self determination. Numerous consultations with affected people prior to the actual summit led to the conclusion that – from their perspective – relief has so far often failed to address their actual needs, and that international relief organisations have generally not involved them in assessing requirements and planning the relief programmes. Moreover, affected people felt that external relief workers often did not understand their local capacities and structures. As a consequence of this, they felt ignored or even that their structures were weakened by the aimless zeal of external protagonists. This lack of local affiliation and local control was also said to facilitate the misuse of relief funds and to increase the risk of making the affected people dependent on international relief.¹⁹

Consequently, people affected by crises made vehement demands at the WHS for greater inclusion by relief organisations, both in terms of planning their operations and in decision-making. Furthermore, they demanded that all relief efforts be linked with local strategies and capacities and support rather than weaken them.

Civil society conferences, the regional WHS steering committees²⁰ and the 2015 WHS Global Consultation²¹ have given their full support to these demands, and the UN General Secretary incorporated them in his report on the WHS, including the Agenda for Humanity.²²

Localisation in the Grand Bargain

The above considerations pertaining to the localisation of humanitarian relief have also been incorporated in the Grand Bargain²³ – an agreement drawn up between several governments and UN organisations at the WHS. It contains diverse workstreams which were agreed upon, some of which should be mentioned here: ☐ Funding should go as directly as possible to institutional local and national actors and should be increased, as Ed Schenkenberg stated. At the same time, the global humanitarian cash flow from the

original donors to local actors should be measured and made transparent (Grand Bargain Transparency Workstream).

☑ Assistance in the form of relief goods should be reduced in favour of cash transfers, and local markets should be increasingly used – in those places where the situation and the markets allow it. This should give affected people more choice and freedom to decide and thus help preserve their sense of dignity (Grand Bargain Cash Workstream).²⁴

☑ People and communities affected by, or at risk of, crises should be informed²⁵ and actively included in humanitarian decision-making processes²⁶ – and this applies to local relief actors as well. This is to be tantamount to a ‘participation revolution’ and should be realised by means of collective standards for reporting and continual dialogue. Of prime importance is that the most vulnerable people have a voice in how humanitarian services should be implemented and evaluated. This dialogue should also be accompanied with funding modes that help local actors to work participatively and to respond flexibly to the views, needs and priorities of affected people (Grand Bargain Participation Workstream).²⁷

☑ Relief funds should be less determined by regions and sectors, and country based pooled funds should be increased. Such funds should facilitate decisions concerning the inclusion of local actors on governallocation to people and regions in mental and non-governmental levels greatest need according to coordi- (Grand Bargain Less Earmarking Worknated assessments – with greater stream).

Not everything that is labelled ‘local’ is actually local

Localisation in the sense of political and economic empowerment for people affected by crises, their self-help groups, and local aid organisations is an important step towards achieving greater human dignity and adherence to the humanitarian principles. This should not be considered equivalent to a localisation that solely aims to support the NGOs registered in the respective country without checking whether they are rooted in the local society, work along lines of participation, and are able to take decisions independently (without state intervention).

As Ed Schenkenberg also writes, not everything that is labelled ‘local’ is actually local. Local NGOs that function like consultancy firms but are not actually rooted in the local society might well be accomplished and well-versed in the repertoire of the international humanitarian system. But they may ultimately only differ from international NGOs due to their greater local knowledge and lower travel costs. Indeed such NGOs run the same risk of planning relief operations without involving the affected people or considering their needs. In such cases, they would equally fail to respect the dignity of vulnerable people and thus violate the principle of humanity. And they might equally fail to clearly communicate their neutrality and impartiality to the affected

people, as described above, and to live out those principles in ways that are acceptable to them.

It is a welcome development that there are already a few pioneering, well-positioned locally-registered NGOs that act as professional role models. Such NGOs are to be found among those involved in the newly-founded NEAR network²⁸ and also among the long-term partners of faith based international NGOs, many of which have signed up to the commitments in the Charter4 Change.²⁹

However, it should again be emphasised that we are not only concerned with locally registered NGOs. Rather, the often less organised and less vocal informal structures and institutions that act as first responders should be supported. The task ahead requires us to strengthen these groups in accordance with their own priorities, to link them up with national and international actors, and to enable them to provide larger-scale humanitarian relief as described further below. The relief they provide has to be guided by the humanitarian principles and they should be capable of conveying these principles to conflicting parties and affected people in a credible way. It is ultimately these informal structures and institutions that can and must implement the link between humanitarian relief, development, and peace-building that is currently being discussed (the so-called humanitarian-development-peace-nexus).

Since the 2016 WHS, the civil society debate about localisation has been restricted to the demand for an increase in direct funding for 'local' NGOs while questioning who exactly qualifies as 'local'. This limited discourse is on the one hand attributable to the general increase in competition among international NGOs for funds which, though higher than before, are still insufficient. Some of these NGOs have so far provided a portion of their relief themselves, using many of their own (international and local) staff – in other words, largely without local partners. These organisations now fear the potential loss of their existing or future 'market share' to local NGOs. Others see it as an opportunity to expand their own operations (e.g. the NEAR Network³⁰) or those of their local partners (the Charter4Change³¹ signatories).

On the other hand, the demand that funding is directed straight to registered local NGOs reflects the determination of many international non-governmental organisations (INGOs) and some donor countries (e.g. the German government) to put into action the commitments made during the WHS concerning an adjustment of funding mechanisms. For some donors, at least, this form of localisation probably seems more feasible and easier to control than strengthening the informal community levels.

How can local first responders be given concrete support?

As we have seen, it is crucial to support local first and last responders and to facilitate their capacity to act. This applies regardless of whether they are institutional, registered NGOs that are recognised by their own government, or structured along less formal

social relationships – including for example relatives, neighbours, community groups, youth clubs, grass roots organisations, self-help groups for people with disabilities etc.

With respect to the informal level, this kind of empowerment needs to begin with a participative dialogue between relief organisations and representatives of the various social groups in an affected community.³² This would give affected people an opportunity to express their concerns and needs, while offering their views on the causes of these problems. They can list the steps they have already taken themselves and, where applicable, identify capacities and competences that might require external support.

Experiences with this sort of community engagement have shown that affected people often ask for advocacy training which will help them to better understand and claim their rights – in accordance with both national laws and international humanitarian law. The latter also implies engagement with the humanitarian principles. Moreover, affected people want to be informed in a transparent way about the access routes to state/nonstate and international relief funds and financing mechanisms. It is important for them to understand how money is used by relief organisations and how, at least in rough terms, the accounting has to be carried out. This allows them to exert a certain degree of control over relief organisations (or their staff) and thus minimise the risk that money is misappropriated or misused for political purposes. In addition, affected people would often like access to small loans or professional training. Stronger financial independence also gives communities a degree of protection against government exploitation or manipulation.³³

In other words, capacities are not strengthened by abstract donor plans and principles, but rather by approaches that accommodate the cultural circumstances, consider local actors and their values as resources, and include affected people in the dialogue.

In the case of institutionalised local NGOs, financial support should also be accompanied by institutional capacity building. This could, for example, take the form of increasing legal knowledge (see above) as well as skills in fundraising and in conflict analysis and resolution. In conflict contexts, international partners have so far paid too little attention to training local NGOs in security management in particular. They have also ignored the fact that this involves specific costs. This has led to prohibitive risks for local NGOs.³⁴ In addition, trainings in community engagement competences are important to put local NGOs in a position where they can conduct a participative dialogue with affected people in their own society and include them in an empowering way.

The localisation debate in Germany

In 2014, during the lead-up to the World Humanitarian Summit, German humanitarian actors compiled a series of recommendations for strengthening local NGOs. The recommendations were based on the evaluation of 22 reports from German NGOs and the findings were incorporated into the summit process.³⁵ The driving force behind this undertaking were VENRO member organisations, many of which have already been implementing their humanitarian relief projects partly or exclusively with local partner organisations for many years. Consequently, they consider respect for and knowledge of the humanitarian principles by local actors an essential prerequisite for the successful expansion of the latter's role in the humanitarian system.

Since the WHS in 2016, German NGOs have been working intensively on this issue in collaboration with the German Federal Foreign Office. In January 2018 they compiled a joint paper³⁶ to provide orientation for German humanitarian actors when operationalising the localisation agenda. In it, they adhere to the definition set down in the Inter Agency Standing Committee's humanitarian financing task team, according to which national and local NGOs and civil society organisations – as well as the Red Cross/Red Crescent societies and national government offices – are to be considered 'local actors'. The less organised, lower levels are also mentioned:

"On its own, humanitarian relief cannot promote the creation of independent civil society, though it can, preventively in the medium term, strengthen the organisational structures and humanitarian capacities of local actors from the national level to affected populations on a community level in humanitarian crisis situations. By this means it can contribute to the resilience and local co-determination of affected people."

The paper demonstrates a comprehensive understanding of localisation: It defines as core elements a broad range of capacity building measures and improved access to funding for local actors, and also the reassignment of coordination responsibilities – moving away from international actors to more involvement of local actors. The latter has already been successfully put into practice in a number of crisis-hit countries (Afghanistan, Kenya, Somalia etc.).

The paper describes to what extent the various existing partnership and cooperation models between international and local NGOs in different humanitarian contexts serve the implementation of the humanitarian principles – and where this poses specific challenges, especially in complex crises and violent conflicts, where potential partnerships and cooperation with local NGOs have to be carefully weighed up. In sudden on-set disasters there needs to be early investment in long-term partnerships combined with adequate capacity development. Concrete action plans and proposals as well as good-practice examples complete these analyses.

However, what is so far lacking in the German debate are precise ideas about how to achieve participation and co-determination for the affected population. For this, it would be advisable to evaluate the previous international debates.³⁷ The "new understanding of the role of INGOs (...), e.g. as capacity developers, moderators/advisors for local actors", developed in the benchmark paper, should be concretised. The experiences of VENRO member NGOs with the People First Impact Method (P-FIM) as well as the ideas of the ReflACTION think tank can contribute to this process

Here too, the requirements and priorities for training need to be defined by the local NGOs themselves. The localisation debate should not repeat the past mistake in which 'we' discuss whether 'they' will be supported – or whether 'they' are the first responders, and what 'they' need to learn in 'our' opinion. Instead, 'we' should start to listen and engage in a dialogue on equal terms.

In conclusion: The reform of the humanitarian sector must combine localisation and empowerment

In view of the crises and conflicts around the world, a radical reform of the humanitarian sector is unavoidable. This reform must work towards the political and economic empowerment of local actors. This does not only include providing them with comprehensive, direct financial and institutional support. Rather, local and international NGOs (and also local governments) must promote the participation of people affected by crises on an informal, local level.

This approach requires that international and local actors strengthen their community engagement competences. Moreover, the INGOs must change their perception of their role – indeed such changes must go beyond Schenkenberg's demand for an updated language in the ICRC Code of Conduct. There will be fewer cases in which INGOs implement projects themselves, be it alone or in a subsidiary or complementary role to local NGOs. Instead, they will in future have a greater role in supporting local (formal and informal) actors in their own processes and considerations. This can contribute to a situation whereby in the medium term, local and international NGOs work together in partnerships on a truly equal basis which could also include the affected people. In this way, all parties can learn from each other and provide mutual support.

A broad localisation approach such as this can strengthen the independence and impartiality of local NGOs. It can also lead to more respect for human dignity. This is absolutely essential, especially for the principle of humanity.

Translated from German by

Alexander Zuckrow

Endnotes

¹ Quote from a local NGO staff member at the end of a People First Impact Method exercise in Kakuma, northern Kenya, 2017.

² See UN General Assembly resolution 46/182.

³ See Code of Conduct for the International Red Cross and Red Crescent Movement and Non- Governmental Organizations (NGOs) in Disaster Relief, 31/12/1994, Publication Ref. 1067. Online at: www.icrc.org/eng/assets/files/publications/icrc-002-1067.pdf [06.03.2018].

⁴ See Küng, Hans. (1990). Projekt Weltethos.

⁵ Such as by John Rawls, Martha Nussbaum and Amartya Sen, Jürgen Habermas or the Dalai Lama.

⁶ Thus, in the Philippines we find the terms *damayan* (help among equals in times of crisis) and *pagtutulungan* (mutual self-help). Both imply an equal status between those giving and receiving help. However, the western concept of *Kawanggawa* (one-sided charity) was probably introduced by Catholic missionaries (Athena Banza, oral statement 2018). The meaning of mutual help in times of need can also be found in the following African sayings: Help those who cannot help themselves (Congo), Not to aid one in distress is to kill her in your heart (Yoruba), The help you give others will soon be your own help (Ewe/Togo), The woman who kills the snake for you is your neighbour; see Ibekwe, Patrick. (1998). Wit & Wisdom of Africa. In: Proverbs from Africa and the Caribbean. Caribbean (Sukuma/Tanzania): New Internationalist Publ, pp. 88-89.

⁷ Saying of the Haya people from Tanzania, see Ibekwe, Patrick. (1998). Ic.

⁸ www.icvanetwork.org/system/files/versions/London_Side_Event_10May2017_Notes.pdf [06.03.2018].

⁹ www.irinnews.org/report/85045/pakistan-idp-hosts-under-pressure [06.03.2018]; www.aerzte-ohne-grenzen.at/article/pakistan-die-belastung-der-gastfamilien-ist-enorm--interview-zur-situation-der-vertriebenen-aus-dem-swat-tal [06.03.2018].

¹⁰ www.heks.ch/sites/default/files/documents/2017-01/Factsheet16_Projekt_640315.pdf [06.03.2018]; www.caritas-international.de/cms/contents/caritas-internationala/medien/dokumente/oeffentlich-gefoerde/zentralirak-unterstu/oeffentliche_foerderer_aa_irak_p308-012-2016.pdf [06.03.2018].

¹¹ www.kath.ch/medienspiegel/soforthilfe-fuer-intern-vertriebene-im-sudan/ [06.03.2018].

¹² www.refworld.org/pdfid/4fe8732c2.pdf; www.icvanetwork.org/system/files/versions/IDPs%20outside%20camps.pdf [06.03.2018].

¹³ Zyck, Steven A. and Krebs, Hanna B. (2015). Localising Humanitarianism: Improving Effectiveness Through Inclusive Action. Humanitarian Policy Group, ODI, pp. 4-5.

¹⁴ Cf. i.a. Stephen, Monica. (2017). Partnerships in Conflict. How Violent Conflict Impacts on Local Civil Society and How International Partners Respond. International Alert & Oxfam, p. 2. Online at: <https://policy-practice.oxfam.org.uk/publications/partnerships-in-conflict-how-violent-conflict-impacts-local-civil-society-and-h-620359> [06.03.2018].

¹⁵ Stephen, Monica, *Id.*, pp. 10, 16.

¹⁶ Stephen, Monica, *Id.*, p. 10.

¹⁷ Cf. also the Sphere Project Humanitarian Charter.

¹⁸ Liliane Bitong, email dated 05/02/2018 to the author

¹⁹ Putting People at the Centre of the World Humanitarian Summit. A consultation with people affected by conflict and natural disasters in Colombia led by Plan International Germany, with the support of the German Federal Foreign Office, Hamburg (2015); McCarthy, Gerry, Kipfer-Didavi, Inez. (2016). Putting People First – Community Engagement in Humanitarian Practice. Summary Report and Evaluation of P-FIM Exercises in Germany and DR Congo 2016. Johanniter International Assistance, with the support of the German Federal Foreign Office, pp. 15, 23; Restoring Humanity: Global Voices Calling for Action. Synthesis of the Consultation Process for the World Humanitarian Summit, (2015), pp. 12 -27.

²⁰ Correspondingly, the WHS steering committee for eastern and southern Africa demanded “radical change to improve engagement with affected communities”, cf. Eastern and Southern Africa RSG Presentations – WHS Istanbul, presented by Gerry McCarthy on 24/05/2016; Eastern Africa NGOs Brief for the WHS Announcement Plenary, presented by Eunice Ndonga-Githingi of the Refugee Consortium, Kenya; Our Voices at Istanbul: Outcomes of a civil society conference, HLA, KRC and START Network 2016.

²¹ Final Report of the WHS Global Consultation, Geneva 14-16/10/2015, p. 10.

²² One Humanity: Shared Responsibility, Report of the UN Secretary General for the World Humanitarian Summit, United Nations A/70/709, 02/02/2016, pp. 3, 27-28, 35, 53.

²³ The Grand Bargain – A Shared Commitment to Better Serve People in Need, Istanbul, Turkey, 23/05/2016

²⁴ The large-scale shift from humanitarian relief to nationwide cash transfer payments, which is notably practiced in Syria, supports a few very large, international actors on a grand scale (among them the WFP, IFRC, private multinational banks and mobile communications providers). This carries the risk that the private market and the power relations between relief actors (UN, international and national NGOs) is distorted to the detriment of local and international civil society. To what extent these private companies will subordinate their profit motive to the humanitarian principles in the long term remains to be seen.

²⁵ Austin, Lois. (2017). The Role of Collective Platforms, Services and Tools to Support Communication and Community Engagement in Humanitarian Action. CDAC Network Policy Brief.

²⁶ The Core Humanitarian Standard on Quality and Accountability (CHS) is pioneering here. Potential tools for its application include the Ground Truth's Constituent Voice method (Nik Rilkoff for Save the Children, Danish Church Aid and Ground Truth Solutions 2016, online at www.danchurchaid.org/about-us/quality-assurance/the-listen-learn-act-project [06.03.2018]) and the People First Impact Method by Gerry McCarthy and Paul O'Hagan (cf. Inez Kipfer-Didavi for Johanniter 2017, online at: <https://reliefweb.int/report/world/people-first-impact-method-p-fim-community-engagement-tool-enhance-relevance> [06.03.2018]).

²⁷ Cf. Recommendations that promote effective participation of people affected by crisis in humanitarian decisions and incentivise participation as a way of working for GB signatories, Grand Bargain workstream 2, July 2017, pp. 1-4.

²⁸ <http://near.ngo/our-reach> [06.03.2018].

²⁹ <https://charter4change.org/signatories> [06.03.2018].

³⁰ Founded in 2016, the NEAR Network is a network of local and national NGOs from the global south. Its common goal is to "transform the humanitarian and development policy system from its topdown approach to a locally planned and managed system with equitable, dignified and accountable partnerships". See www.near.ngo [06.03.2018].

³¹ In the Charter4Change – Localisation of Humanitarian Aid, 29 INGOs (among them four from Germany) made a commitment following the 2016 World Humanitarian Summit to pass on 20 percent of their humanitarian funds to local NGOs by May 2018. They aim to account for this share in a transparent way, and clarify the role of the local actors in their communication. 150 local and national NGOs have endorsed the charter in writing. Online at: <https://charter4change.org> [06.03.2018].

³² Examples of such participatory and empowering approaches on the community level are the People First Impact Method by McCarthy and O'Hagen (<http://www.p-fim.org> [06.03.2018]), and the Resiliency Framework developed by CORDAID.

³³ McCarthy and Kipfer-Didavi. (2016). *lc.*, p. 7.

³⁴ Stephen, Monica, *lc.*, pp. 10-11.

³⁵ Contribution to the World Humanitarian Summit by the German Coordination Committee for Humanitarian Assistance, 2014, (inc. appendix by Inez Kipfer-Didavi). Online at: <https://ngovoice.org/search?q=whs+german> [06.03.2018].

³⁶ „So lokal wie möglich, so international wie nötig“ – die Lokalisierung des humanitären Systems, Eckpunkte zur Umsetzung durch deutsche humanitäre Akteure, draft (as of November 2017).

³⁷ Particularly those of the Grand Bargain Workstreams on “participation revolution” sketched out above, the IASC Task Teams on Accountability to Affected People and the broad ranging experiences within the CHS Alliance and the CDAC network.

³⁸ The original version of this article is published in the German edition of this volume: Quack, Martin (ed.). (2018). *Allein nach dem Maß der Not? Unparteilichkeit in der Humanitären Hilfe.*

4.3. Casestudy: Caritas in Ukraine

Andrij Waskowycz and Gernot Ritthaler

Caritas Ukraine

- In the country since 1994
- Key focus areas: Health, family, prevention of human trafficking, emergency relief in crises
- Humanitarian relief on a large scale since the start of mass movements of people resulting from the conflict in eastern Ukraine
- Measures to secure people's basic needs and livelihoods, medical care, rehabilitation and integration of internally displaced people

Until winter 2013/14, the principle of impartiality was barely considered in the work of Caritas Ukraine, because the social conflicts in the country had no effect on Caritas' traditional line of work, e.g. in home medical care and mobile youth work. This all changed after the so-called "Revolution of Dignity" on Maidan Square in Kiev, the subsequent annexation of the Crimea, and the conflict in the east of the country. Caritas began providing support to many internally displaced people and affected local populations and thus quickly became one of the largest humanitarian actors in the region. Consequently, the organisation had to consciously focus on the humanitarian principles.

Parallel to the various phases of the conflict, Caritas Ukraine went through a learning process. This was to raise awareness of the humanitarian principles among the staff and ensure the realisation and practical implementation of the principles. The process involved three phases:

- Internal learning and mainstreaming;
- Adapting procedures and documents;
- Practical implementation.

In April 2014, shortly after the annexation of the Crimea and after the first wave of internal refugees had fled the peninsula, Caritas Europa organised the first seminar on the SPHERE standards in humanitarian response. The resulting conclusions and methods were subsequently applied when Caritas Ukraine accompanied and supported large groups of Muslim Crimean Tatars after their escape to western regions of the Ukraine.

When fighting began in the east of the country, the issue of neutrality in humanitarian assistance gained special significance. In the affected areas, Caritas Ukraine was faced with two problems: On the one hand, it was necessary that the staff should not provide one-sided relief, irrespective of their own political views. On the other hand, some segments of the population in the war zone considered Caritas – as well as other

humanitarian organisations that were providing relief– "pro-western" and biased. As the number of civilian and military victims rose, accusations of political bias became more hostile. Moreover, there was a general polarisation of views in the population of the country.

This situation prompted Caritas Ukraine to draw up a clearer notion of humanitarian neutrality. This formed the basis of large-scale needs-oriented relief. Caritas Ukraine's own experience in other fields came into play in this process, for instance its experience in AIDS relief or in combating human trafficking, because Caritas staff had to learn to support people without prejudice and to challenge stigmatisation in these projects. In-depth knowledge exchanges with international partners were also beneficial – including with Caritas Germany, Caritas Austria, Caritas Europa or Catholic Relief Services (CRS) on issues such as the changing notion of their role, necessary institutional change, and the practical implementation of neutrality and impartiality. Moreover, practice-oriented training courses for national project managers and local decision-makers from eastern Ukraine on SPHERE and the Core Humanitarian Standards made important contributions.

The SPHERE training sessions in particular were an important catalyst: They led to Caritas Ukraine examining its previous approaches and its own notions of neutrality and impartiality, while assessing and adapting its local practices under international guidance. This process is now being continued by local trainers.

Examples:

- Staff of different nationalities and ethnicities, with diverse religious beliefs and political views, work together in the Caritas humanitarian relief teams.
- In order to prevent discrimination when providing assistance, a complex system of complaint mechanisms including local "complaint boxes", hotline numbers on food packages, and web-based feedback forms was introduced. This has been supplemented by targeted surveys.
- The main language used at Caritas Ukraine is Ukrainian, but in humanitarian assistance we are now producing documents in Russian too. This had not previously been standard practice, and it is challenging to some of the staff in terms of their identity and allegiances. It is important to ensure that the political views held by aid workers do not influence the selection of beneficiaries. The selection process must therefore be transparent and constant monitoring and supervision is required. Caritas Ukraine has introduced an evaluation system based on collective decision making to establish the level of need.

Despite these efforts, the risk of being manipulated for political purposes or becoming the target of deliberate misinformation campaigns remains present. The principle of impartiality requires constant vigilance, especially in the context of a "hybrid" war in

which disinformation and propaganda are used as instruments of war. Impartiality in Ukraine is therefore being implemented in a context of competing humanitarian, political and personal interests. Within this context, and in dialogue with its partners, Caritas Ukraine continues to strive towards an ideal whilst trying to ensure its best possible implementation.

Translated from German by Alexander Zuckrow

5. Conclusion

5.1. Humanitarian action and impartiality: Where do we go from here?

By Martin Quack, with Nina Zimmer

The authors in this collection of essays all affirm that the principle of impartiality lies at the heart of humanitarian action. They examine some of the most important challenges in implementing this principle and describe some of the current trends and approaches to tackling these challenges. But above all, the essays underline how humanitarian assistance and protection are often precarious and inadequate – with grave consequences for affected people in crisis zones. They also raise several important questions, some of which I would like to sketch out below

How can we encourage an open debate on the problems of implementing the principles?

The realisation of the humanitarian principles is often difficult, and in many situations they cannot be fully implemented. For this reason, Steets and Haver feel it is problematic to view them as commandments that may never be broken. They suggest instead that humanitarian workers should openly admit that they sometimes have to accept compromises. When the principles are held to be in- violable, it is difficult to discuss such un- avoidable compromises openly. Kipfer- Didavi points out that relief actors should be more transparent about the extent to which they are able to provide impartial assistance. She and Schenkenberg call for a more intensive dialogue about the specific implementation of the principles – both within and among international, national, and local humanitarian organisations, as well as with the affected populations.

But what steps need to be taken for humanitarian actors to carry out such a dialogue about the humanitarian principles in a more open way? Which freedoms are required for a critical discussion among humanitarian organisations, and with donors and the public?

I believe the following are some of the questions which need to be discussed more openly in Germany: How exactly does the ‘war on terror’ influence humani- tarian

action, including relief from Germany? In what contexts is it conceivable to make compromises in implementing the humanitarian principles – and when not? And how can humanitarian actors ensure that the sense and purpose of the principles remains a decisive factor when striving to implement them in the right way?

Do the humanitarian principles have the same meaning for both international and local actors?

According to Schenkenberg and Kipfer-Didavi, the humanitarian principles of neutrality and independence should be viewed differently when considering local and national actors compared to their international peers. These principles do not hold the same ethical status as humanity and impartiality, but instead serve to put into effect the latter fundamental principles – mostly in order to gain access to people in need. But local and national actors often have better access to affected people and are therefore less dependent on neutrality and independence.¹ And since many local organisations do not primarily or exclusively provide humanitarian relief, it could make little sense, or perhaps even be problematic, for them to act with complete ‘neutrality’. Moreover, humanitarian actors from an affected country, particularly local actors, usually understand the context and needs better than foreign actors.

Does this imply that it would be better if local actors themselves decided what humanitarian action means in specific contexts, and what forms it should take? This is what international relief organisations have always done. Are the humanitarian principles more like guiding ideas that have to be implemented differently according to context, rather than fixed operational schemes? To what extent are they dependent on the position of the respective actors? Yet leaving space for interpretation does not call into question the notion that the humanitarian principles are the essential characteristics of effective humanitarian action – and thus not arbitrary. It remains very important to emphasise the neutrality and independence of humanitarian action, specifically towards governments, in order to ensure that it is not exploited for other purposes.

Does competition between relief organisations make humanitarian action less efficient?

Several articles in this collection mention the competition between humanitarian organisations. Kipfer-Didavi, for instance, addresses the fierce competition for funding and the fear international NGOs have of losing their market share to national and local actors in the course of the so-called ‘localisation’ of humanitarian action (p. 78). Narang thinks the independence of humanitarian relief is at risk (see the article by Martin Quack), because state donors can select those organisations that give them more control over the allocation of funding. Steets and Haver assert that German NGOs, for example, could provide more effective help by supporting actors that are already

present in the most difficult and dangerous regions instead of operating there themselves. To achieve this, however, they would need to “leave behind competitive institutional instincts “ (p. 21).

Competition can promote creativity and inspire action. But when it asserts too much influence on the work of organisations in the aid industry – when the main considerations are funding amounts and market shares – it could become impossible to realise the humanitarian principles. Are independence and impartiality, as Narang claims, really something that only few organisations can afford in the increasingly competitive humanitarian sector? Or are humanitarian organisations able to limit the effects of competitive thinking and promote their collective goals more vigorously, despite growing competition?

How will humanitarian action be financed in future?

The funding of humanitarian action has a direct and significant effect on its impartiality. Governments and NGOs have different responsibilities in this respect. Looking at so-called ‘forgotten crises’, it is patently clear that state funding is sometimes allocated and dispensed on the basis of strategic interests and not only according to humanitarian need. Donini predicts, moreover, a decrease in funding by Western donors primarily as a consequence of the USA’s decreasing involvement. The authors also suggest other reasons for potential funding problems: Khan claims that restrictions imposed by governments in the context of the ‘war on terror’ may lead to difficulties and increased costs in providing relief. And Donini states that funds for humanitarian action are being used to care for refugees within domestic borders in more and more countries.

Thus, although the demand for humanitarian action and therefore the costs have increased in recent years, it is possible that there will be less funding available in future. The considerable increase in funding provided by the German government in the last few years is an exception.

So will other crises become ‘forgotten’ too? What consequences will this have for humanitarian organisations and donors such as the German government in terms of their future strategies? And what role should humanitarian action play in crises that persist despite decades of relief work – such as in the case of Palestine refugees and UNRWA? In Germany too, the question has been raised as to which criteria dictate the use of humanitarian action funds.

Reform or Decolonisation?

Both Donini and Kipfer-Didavi emphasise the need for reform in the humanitarian system. The stronger role assumed by local actors shows how such a reform could manifest. This is partly a consequence of the disengagement of western actors – or, put differently, of the ‘decolonisation’ of humanitarianism (p. 12). This decolonisation should include all the different levels and actors of the humanitarian system, including

the 1994 Code of Conduct (see Schenkenberg, p. 69). The role of international humanitarian organisations will also probably change due to the more prominent role taken on by national and local actors.² But was the 2016 World Humanitarian Summit a serious enough attempt at reform? Are inter-national organisations taking concrete steps to hand over power? Will only a few particularly prominent actors from the global south benefit? The recent sexual abuse scandals by foreign ‘aid workers’ in crisis zones are further evidence of a massive imbalance of power. Don’t they also show that the road to reform and decolonisation is going to be far longer than we might have thought?³ And how can humanitarian actors prevent governments from misusing this important reform process to harm NGOs that they consider ‘disagreeable’?

What steps need to be taken for humanitarian actors to carry out a dialogue about the humanitarian principles in a more open way?

Are the perspectives really so bleak?

Governments sometimes use humanitarian relief as a stopgap measure to cover up their political inaction – including when they cannot or will not prevent or end violent conflicts, as Donini asserts. Schenkenberg points out that more and more regions are dangerous for humanitarian workers, above all war zones. And Khan mentions the problem that donors often suspect links between certain conflicting parties and terrorist groups. For fear of allowing relief funds to benefit the ‘wrong’ actors in some way, they hold back funds or tie them to conditions that prevent impartial assistance. Steets and Haver, and also Khan, mention the political pressure – which also exists in the EU and Germany – to use humanitarian relief to ‘combat the causes of migration and flight’ rather than basing it on need. Relief funds for the Sahel or Afghanistan, for example, are granted on the condition that these countries control migration and push back refugees, as Donini argues. Such developments give political interests priority over the needs of people who are fleeing war, injustice and hardship. In this way, they undermine the humanitarian imperative.

Can this behaviour of many governments be explained by their lack of knowledge and understanding of the ethical basis and necessity of the principle of impartiality? Might a more profound social understanding, a ‘humanitarian consciousness’,⁴ so to speak, help create the necessary political pressure to enable a humanitarian action that is loyal to these principles? The rather pessimistic interpretation of the current political climate as described in this collection of essays is, in my view, accurate. However, it would be highly problematic to simply project this onto the future. Humanitarian organisations in particular should have a positive vision of a future in which violence, natural disasters and refugee numbers do not automatically increase. What specific role could humanitarian organisations play in, for example, the UN’s 2030 Agenda? This is, after all, a political commitment made by all countries

We need connections between theory and practice

Impartiality lies at the heart of humanitarian action, but it also confronts it with major challenges. The specific questions and difficulties that arise in its realisation obviously go far beyond the principle of impartiality – they pertain to the other humanitarian principles, the humanitarian system as a whole, and its political context.

Real problems require pragmatic solutions. These can include well-considered and carefully evaluated compromises. But the sector's weaknesses should not be ignored. These include the ideology of western humanitarianism and its ties to colonialism.⁵

Above all, however, impartiality is obviously an ideal that is often far from being realised in practice. One could say that the principle serves to defend the humanitarian ideal from real political interests, even though humanitarian practice remains part of politics itself. This applies not only to humanitarian action but also to human rights policy – from which humanitarian action often disassociates itself – and to international law as a whole. The humanitarian system is part of a political system that has so far been dominated by the west, and in which economic and military interests play a significant role. When humanitarian relief is reduced to finding pragmatic solutions to practical problems, it runs the risk of only alleviating the worst consequences of decisions made by politicians who abuse relief work for their own interests.⁶

If we assert that relief should be provided solely on the basis of need, it also implies that there are no 'good' or 'bad' recipients. In phases of political polarisation, the idea of humanitarian action can be hard to endure for actors with a black and white mindset. Who are the victims, who are the perpetrators? And who, then, needs humanitarian protection from whom? The work of Diakonie Katastrophenhilfe in the Democratic Republic of the Congo, for example, shows that there are not always easy answers to such ethical questions (see pp. 56-59). Such contexts require an ethical perspective to realise the humanitarian principles, for example when humanitarian organisations have to carefully weigh up different options before agreeing to necessary compromises.

Is it possible that an over-simplified perception of humanitarian relief ("simply doing good") hinders the necessary ethical discussions? Among these ethical problems is the fact that humanitarian protection still plays a subordinate role to humanitarian assistance in many organisations, even though this very lack of protection is often the main reason for a humanitarian crisis. In English, at least on a linguistic level, humanitarian aid/assistance has now been supplemented with the term 'humanitarian action' to denote the aspect of protection. In German however, the term "Humanitäre Aktion" has not yet gained acceptance. We urgently need to engage in a more in-depth discussion about how humanitarian workers can provide the best possible assistance and protection. The current debate concerning sexual abuse in humanitarian assistance

raises a number of ethical questions and provides an opportunity to talk more honestly about some of the ethical challenges involved.⁷

In Germany, humanitarian organisations and other actors are already debating many of the questions raised here. This collection of essays aims to inspire critical inquiry on humanitarian action and in this way contribute to deepening the discussion in Germany. To achieve this, we need closer ties between theory and practice, and between international and German debates. Impartiality and the other humanitarian principles will remain the guiding ideas for such debates in the foreseeable future – not as an ideology, but because they can offer a concrete set of tools for providing effective humanitarian relief to people in need.

Translated from German by Alexander Zuckrow

Endnotes

¹ Hugo Slim defines neutrality and independence as “political principles” that enable one to work in a conflict without becoming too involved. See Slim, Hugo, 2015: Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster, London: C. Hurst & Co.

² See e.g. the study by Action Against Hunger et al., 2017: The Future of Aid - INGOs in 2030. Online at: <https://reliefweb.int/report/world/future-aid-ingos-2030> [20.03.2018].

³ See e.g. www.theguardian.com/commentisfree/2018/feb/20/oxfam-abuse-scandal-haiti-colonialism [20.03.2018].

⁴ See Eberwein, Wolf-Dieter, 2002: Gibt es eine Politik der humanitären Hilfe? Internationale Trends und die Situation in Deutschland, in: Eberwein, Wolf-Dieter (Hrsg.), Humanitäre Hilfe statt Politik? Neue Herausforderungen für ein altes Politikfeld, Münster: LIT Verlag, pp. 60-89, p. 66.

⁵ See e.g. Davey, Eleanor/Borton, John/Foley, Matthew, 2013: A History of the Humanitarian System: Western Origins and Foundations, Humanitarian Policy Group Working Paper, London: Overseas Development Institute. Online at: www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8439.pdf [20.03.2018].

⁶ See e.g. Quack, Martin, 2016: Herausforderung Humanitäre Hilfe: Politische Bedeutung und kritische Reflexion in Deutschland, pp. 65-66. Online at: www.aerzte-ohne-grenzen.de/document/herausforderung-humanitaere-hilfe-politische-bedeutung-und-kritische-reflexion-deutschland [20.03.2018].

⁷ In his book, Hugo Slim discusses the fundamentals of humanitarian ethics, the humanitarian principles, and the application of humanitarian ethics. See Slim, Hugo, Ic.

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